

# Bristol City Council

## Minutes of the Public Safety and Protection Committee



27 July 2021 at 10.00 am

### Members Present:-

**Councillors:** Guy Poultney (Chair), Marley Bennett, Richard Eddy, Jonathan Hucker and Barry Parsons

### Officers in Attendance:-

Corrina Haskins (Democratic Services) Carl Knights (Senior Licensing Officer) Jonathan Martin (Licensing Manager) and Shreena Parmar (Legal Adviser)

## 1 Welcome and Safety Information

The Clerk welcomed everyone to the meeting and read the safety information.

## 2 Apologies

Apologies were received from Councillor Amal Ali, Chris Davies, Tessa Fitzjohn and Katja Hornchen.

## 3 Declaration of Interest

None received.

## 4 Minutes of the Previous Meeting

**RESOLVED** that the minutes of the previous meeting 8 June 2021 be agreed as a correct record.

## 5 Public Forum

None received.

## 6 Suspension of Committee Procedure Rules CMR10 and CMR11 Relating to the Moving of Motions and Rules of Debate



Not required.

## 7 Revision to Hackney Carriage and Private Hire Driver and Vehicle Policies

The Licensing Manager and Senior Licensing Officer drew the Committee's attention to the proposed changes to Hackney Carriage and Private Hire Driver and Vehicle policies and it was agreed that the main changes be considered on an individual basis before moving to the recommendations.

1. Introduction of a mandatory card and other instantaneous payment facilities in Hackney carriages
  - This had been requested by the trade.
  - The facilities would only need to be in the vehicle when in use.
  - The trade was unlikely to be disadvantaged by connectivity issues as it was likely that this would only be temporary.

AGREED

2. Tints
  - Officers had not made a recommendation on whether or not the policy should be amended to relax the ban on tinted windows and asked the committee to determine.
  - An Equalities Impact Assessment concluded there was a balance between groups with protected characteristics who may be disadvantaged by a change in policy and those who may be advantaged.
  - The cost of getting tinted windows replaced with clear glass was approximately £1.5k.

Members concluded that as the remit of the committee was public safety and protection, and there was some flexibility in the policy to apply for an exemption, there should be no change to the existing standard.

AGREED that no changes be made to existing policies in relation to tinted windows.

3. New requirements relating to basic disclosures for all vehicle proprietors

AGREED

4. New requirement – English proficiency
  - The Council would have the right to require applicants and licence holders to undertake and pass a test of their language proficiency which would cover both oral and written English language skills
  - This was in line with national standards to ensure that licence holders could understand and therefore comply with conditions as well as communicate effectively with customers.
  - The test would be for those applying for licence holders and existing licence holders would only be referred if a complaint had been raised.

In agreeing this, Members asked that equalities data be collected and reviewed for everyone referred to the service.



5. Strengthening of convictions policy

- This would be in line with national standards which in some cases resulted in an increase in the number of years an applicant would be prevented from holding a licence after being convicted for an offence.
- The justification for the increase was that licence holders undertook an important public service often involving vulnerable people and sensitive information.
- Officers were also recommending keeping part of the current policy which was not included in the national standards.

Following questioning by Members it was noted that a safeguard was in place in the event of an officer taking a decision under delegated authority which may not be in line with the view of the Committee Chair, whereby an applicant whose application was refused could appeal. The Licensing Manager also confirmed that he would consult the Chair as a matter of course and had not previously been in a position of taking decisions without a Chair's agreement.

AGREED

6. Enhanced DBS check arrangements

- Drivers would need to sign up to the DBS update serve and this would allow the Licensing authority to undertake a check every 6 months. It was a straightforward process and would save the applicants money over a 3-year period.

AGREED

7. Certificate of Good Character

- It was noted that discretion could be applied if applicants could not obtain a certificate of good character from their country of previous residence.

AGREED

8. Mandatory Safeguarding Training

- In response to comments raised, this would include awareness of the sexual exploitation of vulnerable adults, suicide awareness and domestic violence.

AGREED

9. Gold Standard Training

- Applicants would now be required to undertake the Gold Standard Training on renewing their licence if they had not previously done so.

AGREED



10. Private Hire Operator Policy

- The Council's policy had been updated to reflect national standards.

AGREED

11. Suggested prohibition of Vaping and Heated Tobacco (IQOS and hybrid) products in Hackney carriages and private hire vehicles

- This was not included as part of the consultation but was raised as a comment during the process and officers were seeking the view of the Committee on the issue.

AGREED that, as this was not included as part of the consultation, the prohibition of Vaping and Heated Tobacco (IQOS and hybrid) products in Hackney carriages and private hire vehicles should not be included as part of the policies but could be considered in any future reviews.

Members noted that once the changes to policies were agreed, they would be implemented with immediate effect and this may result in an increase in the number of cases being brought to the Public Safety and Protection Sub-Committees. It was therefore important to monitor the decisions of the two sub-committees and ensure there was consistency between the two.

In considering the recommendations, it was moved by Councillor Guy Poultney, seconded by Councillor Richard Eddy and:

RESOLVED

(1) That the following be approved:

- a) The introduction of a Private Hire Operator Policy and amendments to the Private Hire Operator Licence conditions
- b) Proposals to Introduce Mandatory Card and other instantaneous Payment Facilities in Hackney carriages.
- c) Amendments to the current:
  - i. Private Hire Vehicle Policy; with the exception of tint proposals
  - ii. Hackney Carriage Vehicle Policy
  - iii. Private hire vehicle licence conditions
  - iv. Hackney carriage licence conditions
  - v. Hackney Carriage and Private Hire Vehicles Inspection Standards
  - vi. Guidelines Relating to the Relevance of Criminal Behaviour
  - vii. Fit and Proper Person Policy
- d) The incorporation of the above into a single policy document entitled "Hackney Carriage and Private Hire Licensing Policy"

(2) That, having considered the consultation comments and Equality Impact Assessment, the proposal to relax the Private Hire Vehicle policy in respect of tints in private hire vehicles be rejected.

## 8 Exclusion of the Press and Public



Not required.

Meeting ended at 11.50

**CHAIR** \_\_\_\_\_

