

Bristol City Council

Minutes of the Public Safety and Protection Committee



20 January 2021 at 2.00 pm

Members Present:-

Councillors: Ruth Pickersgill (Chair), Chris Davies, Richard Eddy and Steve Jones

Officers in Attendance:-

Emma Lake, Jonathan Martin and Oliver Harrison (Democratic Services Officer)

1. Welcome and Safety Information

2. Apologies

Apologies were received from Cllr Estella Tincknell.

3. Declaration of Interest

None received.

4. Minutes of the Previous Meeting

RESOLVED that the minutes of the last PSP Full Committee meeting on 9 June 2020 are agreed as a correct record.

5. Public Forum

None received.

6. Revision to Hackney Carriage and Private Hire Driver and Vehicle Policies due to implementation of Department of Transport Statutory Standards

Emma Lake introduced the report and highlighted the following points:



- Officers have been reviewing all licensing policies to make sure they adhere to the new national standards.
- Some policy changes were already approved last year, some have changed slightly, some are new requirements. This meeting is to flag the key changes that will have large impact on drivers.
- There is a new operator policy for the first time. There were previously checks, but this is a proper policy document. Operator conditions have also been amended.
- The DBS update was previously approved, but this needs review due to the impact of the conviction policy. Online DBS checks have already rolled out and drivers will sign up to the update service. Once everyone is online BCC will be able to check DBS records at will. This will also enable BCC to see the impact of the conviction policy, the new policy may have longer suspension periods that means the suitability of a driver needs revisiting.
- There is an expectation that drivers that are out of the country for a significant period of time should produce Certificates of Good Character. This may be difficult to obtain in some countries, so will need sensible guidance and alternative acceptable evidence to resolve.
- Applicants for a vehicle licence will need to provide basic disclosure.
- Statutory standards talk about who to include within the consultation period. The consultation is expected to last 8 weeks.
- Appendix 1 shows the national standards from Department for Transport. If BCC does not follow the standards there must be a very good reason.
- Appendix 2 shows the current policy and how it relates to the standard and will be published as part of the consultation. Appendix 3 shows all policies and conditions in one place. Appendix 4 is the Equalities Impact Assessment.
- On window tints, the current policy is that these are not permitted, which means some drivers have to remove factory standards tints at their own expense. The new policy allows tints.
- Card readers in hackney carriages would be mandatory. This was originally a request from the trade to improve customer access. Drivers will need to pay for card readers but the cost is fairly negligible.

Discussion Notes:

- Members thanked officers for the considerable amount of work developing this policy, some members are involved in the taxi working group so have seen the drafts and most major issues were resolved before this meeting.
- There was concern about making the consultation as accessible as possible as a significant number of drivers have English as an additional language.
- Declaring convictions on application is dependent on the honesty of drivers. DBS checks reveal convictions but are only a “point in time”, the new online process has higher frequency so flags these more often. The proposed DBS update checks are every 6 months, where they are currently 3 years.
- Know that the trade is made mostly of BAME individuals, getting a Certificate of Good Character would be impossible in some regions. There needs to be some flexibility there on what other evidence could be accepted. Certificates would not need to be supplied retroactively.
- Possible retroactive suspensions for convictions are concerning. If the committee has granted a licence based on previous policy durations, does the new policy overrule that? There is no data at



the moment to work out how many drivers will be affected by this from other councils. Once the online DBS is live, we should know numbers after 6 months.

- Existing drivers may not have the new English level 3 requirements. We should be careful about the perception of targeting these individuals. Drivers who have done gold standard will already have a good level of English. Retroactively applying standards could be problematic. The new national standards give BCC the right to implement a test but does not give specifics, so can be flexible.
- There was a discussion about the use of interpreters at PSP committees. To ensure that a quasi-legal process is fair, interpreters should be offered but there was debate about where the cost should fall. BCC licensing pays for interpreters and is itself funded by licensees.

ACTION EL to look at other core cities and how they manage interpreter costs then report back to committee.

- The consultation will include dedicated forums with the trade to go through all changes and what it means for current licensees. These could be open to all drivers, but it can be hard to manage large numbers.
- The Equalities Impact Assessment should go into more detail on how the policy can affect certain backgrounds, e.g. countries that cannot supply certificates of good character.
- The consultation has an estimated finish at the end of March 2021. Be aware that there may be complications with the pre-election period which begins on 22 March 2021, assuming a 6 May election date.

RESOLVED the PSP Full Committee approves the officer recommendations as set out in the report.

RESOLVED the Committee nominates the Chair (Cllr Pickersgill) to take this work forward with the relevant officers and consultation groups ahead of the next meeting.

Meeting ended at 3.00 pm

CHAIR _____

