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Bristol City Council Minutes of the Public Safety and Protection Sub- Committee B



17 May 2022 at 10am

Members Present:

Councillors: Guy Poultney, (Chair), Katja Hornchen, Jonathan Hucker and Barry Parsons

Officers in Attendance: Dakota Ferrara – Senior Licensing Officer, Shreena Parmar – Legal Advisor, Allison Taylor – Democratic Services.

1. Welcome and Safety Information

The Chair welcomed everyone to the meeting and drew attention to the safety information.

2. Apologies for Absence

There were none.

3. Declarations of Interest

There were none.

4. Minutes of the Previous Meeting held on 22 March 22.

It was noted that the 'S' had been omitted from the end of Councillor Parsons surname.

RESOLVED – that the Minutes of the above meeting be confirmed as a correct record and signed by the Chair.

5. Public Forum

There was none.

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

RESOLVED – that Committee procedure rules CMR10 and CMR11 be suspended relating to the moving



of motions and rules of debate.

7. Exclusion of the Press and Public

RESOLVED – that that the press and public be excluded from the following items of business to allow consideration of items containing exempt information under Paragraph 1 of Part 1 of Schedule 12(A) of the Local Government Act 1972.

8. Report to determine whether action should be taken against the holder of both a Hackney Carriage Driver and Private Hire Driver Licence.

The Applicant was in attendance.

The Neighbourhood Enforcement Officer (NEO) summarized the case for the benefit of the Sub-Committee as set out in the report.

In presenting his case, Mr M made the following points:-

1. The passengers asked for a price to take them to Knowle/Withywood area and he said £20 which the passengers confirmed they were happy with on basis that the meter would then not be used;
2. Some passengers didn't like meters and would offer to pay a set fare and would go elsewhere if not accepted. On a Saturday night after midnight he might have to wait some time for another fare and was therefore in a Catch 22 situation as he needed the business.

The following points arose from questioning:-

1. Mr M was aware that he should use the meter and had offered the meter but the passengers preferred a price;
2. The NEO clarified that the use of the meter was not a matter of choice but a condition on his licence that should always therefore be complied with but there was the option of agreeing a lower price at the journey end;
3. Mr M stated that he knew it was wrong but the passengers were insistent;
4. Mr M had been a taxi driver for 25 years and this was the first offence for not using the meter. However a check on Mr M's DVLA driver's licence carried out on 12 April 2022 showed that He currently had three points on his licence from a speeding offence in May 2019;
5. Mr M had not realised he had to declare the endorsement to the Licensing Authority the day he had received it as a condition of his licence. He had intended to declare it upon renewal of his badge;
6. The Legal Advisor noted that Mr M had been a driver for a long time and should be familiar with the conditions on his licence and what therefore what was expected of him. Mr M replied that the licence conditions were very long;
7. Mr M had not done any training courses including the Gold Standard;
8. It was confirmed that the speeding offence had occurred on his way home without passengers and had taken place on Victoria Street as that is where the taxi compliance stop was;
9. In summation, Mr M stated that he did his best but some customers did not want a meter after



9pm.

Parties left the room while the sub-committee deliberated.

Decision.

The Sub-Committee resolved to take action on the Hackney Carriage Driver Licence and Private Hire Vehicle Licence by way of a warning letter as to his conduct.

Reasons.

1. The Sub-Committee heard that Mr M had breached the byelaws by not using the taximeter and not declaring previous speeding endorsements in compliance with his licences;
2. The Sub-Committee heard from Mr M and formed the view that he was a fit and proper person to hold a licence and did not present as a concern to public protection and safety, however it did have concerns as to his understanding of what was expected of him as a licenced driver;
3. Therefore, as well as a warning letter, the Sub-Committee required Mr M to complete the Gold Standard training programme prior to the expiration of his current licences (i.e. by March 2023) which would be considered as part of any subsequent renewal application;
4. The Sub-Committee considered that the Gold Standard training programme would provide Mr M with a greater understanding of how to conduct himself as a professional licenced driver to the standards expected of him, including the conditions that govern his licences. It was recommended that Mr M completed the Gold Standard training course as soon as possible rather than close to expiry.

Date of Next Meeting

The next meeting is scheduled for 10.00 am on 19 July at 10am.

The meeting ended at 11.35am.

Chair _____

