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



19th September 2023 at 10.00 am

Members Present:

Councillors Richard Eddy (for Brenda Massey), Fi Hance (Chair), Jonathan Hucker and Guy Poultney

Officers in Attendance:

Kate Burnham-Davies (Legal Services), Carl Knights (Licensing Team) (Presenting Officer), Dakota Ferrara (Licensing Team) (Policy Officer) and Norman Cornthwaite (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

Apologies were received from Cllr Brenda Massey, substitute Cllr Richard Eddy.

3. Declarations of Interest

Nothing was declared.

4. Minutes of Previous Meeting

Resolved – that the Minutes of the Meeting held on 25th July 2023 be agreed as a correct record.

5. Public Forum

Nothing was received.

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. Application for the Renewal of a Private Hire Driver Licence - AMO'A

The Applicant was in attendance, accompanied by a colleague.

The Licensing Officer introduced the report and summarised it for everyone. He noted that the applicant had declared the points on his licence, but not when he should have declared them. If someone does not respond to who was driving the vehicle it will be assumed by the court that it was a failure to identify the driver.

AMO'A's colleague put the case for him highlighting the following:

- He explained the situation concerning the points on the licence
- He had accepted the points and sent his licence for the points to be added to it
- Letters were tabled concerning AMO'A including his home to school transport work
- The offence was as a result of a camera; he was not stopped by the Police
- The Members noted the warning letter sent by Licensing on 29th August 2020

The Applicant and the Licensing Officer left the room whilst the Committee made its decision and later returned to hear the decision announced.

Decision and reasons

The Committee considered very carefully all the written and verbal evidence that it had received.

The Committee noted their Policy in relation to this case.

The Committee decided that AMO'A had not intended to deceive Bristol City Council and agreed to grant him the renewal of his licence.

It was therefore

Resolved (unanimously) – that the application for the renewal of a Private Hire Driver Licence applied for by AMO'A be granted.

9. Application for the Grant of 3 Hackney Carriage Vehicle Licences Seeking Departure from Bristol City Council Policy - Magans Taxis Ltd



A representative of the applicant was in attendance.

The Licensing Officer introduced the three reports and summarised them for everyone. He explained that the 3 vehicles were identical and the issue was the tinted glass fitted in all of them. He added that there are actually 4 identical vehicles and that should the Committee grant an exemption to the 3 being considered at this Meeting, and allow them to be licensed, he would ask that Officers be delegated to also grant the fourth vehicle a licence.

The representative of the applicant put his case highlighting the following:

- These are all replacement vehicles
- Nobody can supply the glass that complies with the BCC Policy
- They need these vehicles to be licensed so that the company can continue to run its business
- The cost of vehicles is increasing
- They have made attempts to get the glass replaced but without success

The Licensing Officer advised the Committee that there are only 342 Licensed Hackney Carriages operating in the City. Most requests for licences are for Private Hire Vehicles.

The representative of the applicant and the Licensing Officer left the room whilst the Committee made its decision and later returned to hear the decision announced.

Decision and reasons

The Committee considered very carefully all the written and verbal evidence that it had received.

The Committee noted their Policy in relation to this case.

The Members noted that the applicant had done everything that they could do to get vehicles with glass that met the BCC Policy but it had not been possible. They noted that most new cars come fitted with tinted glass that does not meet the BCC Policy.

The Committee therefore decided to set aside its Policy in this case and grant licences to each of the 3 vehicles in question as well delegating Officers to issue a licence to the fourth vehicle.

It was therefore

Resolved (unanimously) – that the applications for the 3 Hackney Carriage Vehicle Licences made by Magans Taxis Limited be granted; and that Officers be delegated to grant the application for the fourth Hackney Carriage Vehicle Licence.

10. Application for the Renewal of a Hackney Carriage Vehicle Licence Seeking Departure from Bristol City Council Policy - AGA

AGA was in attendance.

The Licensing Officer introduced the report and summarised it for everyone. The vehicle is over 10 years old and AGA is requesting that it be licensed for 6 months.



AGA put his case and answered questions highlighting the following:

- He has not been able to acquire a replacement vehicle mainly for financial reasons
- Finance is very tight at present and he is doing his best to acquire a replacement vehicle
- He would prefer if a licence could be issued for a year but he understands the BCC Policy
- He has tried to purchase a vehicle from a few companies but without success
- If he could find a suitable vehicle he would purchase it using finance

AGA and the Licensing Officer left the room whilst the Committee made its decision and returned later to hear the decision.

Decision and reasons

The Committee considered very carefully all the written and verbal evidence that it had received.

The Committee noted their Policy in relation to this case.

The Members noted that AGA has been trying to acquire a replacement vehicle, but without success. They noted that whilst he would ideally like a licence for a year he would settle for a licence for 6 months. They agreed to make an exception to their Policy and grant a licence for 6 months.

It was therefore

Resolved (unanimously) – that the application by AGA for a Hackney Carriage Vehicle Licence be granted for a period of 6 months.

11. Application for the Grant of a Private Hire Vehicle Licence Seeking Departure from Bristol City Council Policy - KA

KA was in attendance accompanied by a colleague.

The Licensing Officer introduced the report and summarised it for everyone. The issue is that the vehicle is fitted with tinted glass that does not comply with the BCC Policy.

KA put his case highlighting the following:

- He drew attention to the statement that had submitted which is attached to the report
- Most manufacturers now produce cars with tinted glass
- It is very difficult to get a new car without tinted glass

KA, his colleague and the Licensing Officer left the room whilst the Committee made its decision and returned later to hear the decision.

Decision and reasons

The Committee considered very carefully all the written and verbal evidence that it had received.

The Members noted their Policy.



They noted that KA had tried to ensure that the vehicle complied with the BCC Policy relating to tinted glass, but had not been able to. They therefore agreed that they would make an exception to their Policy and grant him a licence.

It was therefore

Resolved (unanimously) – that the application made by KA for a Private Hire Vehicle Licence be granted.

12. Application for the Grant of a Private Hire Vehicle Licence Seeking Departure from Bristol City Council Policy – CO

CO was in attendance accompanied by his partner.

The Licensing Officer introduced the report and summarised it for everyone. The issue relates to the tinted glass fitted to the vehicle.

CO put his case and answered questions highlighting the following:

- He had applied for the vehicle licence after acquiring the car
- The response took a long time and the application was refused
- He has received confirmation from Lexus that the windows fitted to the car are to the manufacturer's specification
- It would cost thousands of pounds for the tinted windows to be replaced
- He wants the licence to be granted as soon as possible as he is not able to work without it
- Changing the glass is not an option

It was noted that no manufacturers offer non tinted glass with this sort of car.

CO, his partner and the Licensing Officer left the room whilst the Committee made its decision and returned later to hear the decision.

Decision and reasons

The Committee considered very carefully all the written and verbal evidence that it had received.

The Members noted their Policy.

They noted that CO had tried to get the BCC Policy specified windows fitted to the car but that this had not been possible. They therefore agreed that they would make an exception to their Policy and grant him a licence.

It was therefore

Resolved (unanimously) – that the application made by CO for a Private Hire Vehicle Licence be granted.

13. Application for the Grant of a Hackney Carriage Vehicle Licence Seeking Departure from Bristol City Council Policy – FA



FA was in attendance accompanied by 2 colleagues.

The Licensing Officer introduced the report and summarised it for everyone.

FA put his case and answered questions highlighting the following:

- He had provided details of the vehicle with a request to make it an exception to the BCC Policy
- The vehicle comes with tinted glass fitted as standard
- It is a petrol engine car
- It was bought as a replacement vehicle
- Vehicles without tinted glass are very difficult to obtain

FA, his colleagues and the Licensing Officer left the room whilst the Committee made its decision and returned later to hear the decision.

Decision and reasons

The Committee considered very carefully all the written and verbal evidence that it had received.

The Members noted their Policy.

They noted the cost of replacing the tinted glass and how difficult it is to get the work carried. They also noted how difficult it is to acquire a suitable vehicle without tinted glass.

They therefore agreed that they would make an exception to their Policy and grant him a licence.

It was therefore

Resolved (unanimously) – that the application made by FA for a Hackney Carriage Vehicle Licence be granted.

14. Application for the Grant of a Private Hire Vehicle Licence Seeking Departure from Bristol City Council Policy - Yellow Cars UK Limited

Representatives of Yellow Cabs – RT and AK - were in attendance.

The Licensing Officer introduced the report and summarised it for everyone. This is a replacement vehicle but the owner is different.

RT confirmed that the original car was written off a few months ago. He was the owner of the car.

AK explained that the replacement car is owned by Yellow Cabs and he only recently became aware that this could be a problem.

It was noted that the Policy relating to replacement vehicles only applies when the ownership is unchanged.

It was also noted that the car is over 3.5 years old and has tinted glass.

RT, AK and the Licensing Officer left the room whilst the Committee made its decision and returned



later to hear the decision.

Decision and reasons

The Committee considered very carefully all the written and verbal evidence that it had received.

The Members noted their Policy.

They noted that the vehicle is over 3.5 years old, the ownership has changed, and has tinted glass. The vehicle is not therefore Policy compliant as the ownership has changed. Members had not heard any compelling evidence to persuade them to set aside their Policy and make an exception in this case. They therefore agreed that the application be refused.

It was therefore

Resolved (unanimously) – that the application made by Yellow Cabs Limited for a Private Hire Vehicle Licence be refused.

The meeting ended at 3.00 pm.

Chair _____

