

Bristol City Council

**Minutes of a Meeting of the
Public Safety and Protection Sub-Committee B
held on 8th April 2014 at 10.30 am**

A Councillor Fi Hance
P Councillor Jeff Lovell (in the Chair)
A Councillor David Morris
P Councillor Ron Stone

PSP

129.4/14 Apologies for Absence and Substitutions

Apologies were received from Councillors Hance and Morris.

PSP

130.4/14 Declarations of Interest

There were none.

PSP

131.4/14 Public Forum

Nothing was received.

PSP

131.4/14 Consideration of the Suspension of Committee Procedure Rules (CMR 10 and 11) Relating to the Moving of Motions and Rules and Debate for the Duration of the Meeting

Resolved -that having regard to the quasi-judicial nature of the business on the agenda, those Committee Rules relating to the moving of motions and the rules of debate (CMR 10 and 11) be suspended for the duration of the meeting.

PSP

132.4/14 Exclusion of Press and Public

Resolved – that under Section 100A(4) of the Local Government Act 1972 the public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information

as defined in Part 1 of Schedule 12A to the Act, as amended.

PSP

133.4/14 Conviction Received by the Holder of a Private Hire Driver Licence – MA

(Exempt paragraph 3 – Information relating to person’s financial or business affairs)

The Licensing Officer advised Members that he had received a request from MA for the deferment of his case.

It was therefore

Resolved – that consideration of this report be deferred until a future Meeting of the Committee.

PSP

134.4/14 Application for the Grant of a Private Hire Drivers Licence - MI
(Exempt paragraph 3 – Information relating to person’s financial or business affairs)

To consider an application for the grant of a Private Hire Drivers Licence (PHD).

MI was in attendance, accompanied by his wife.

The Chair explained the procedure that would be followed and everyone introduced themselves.

The Licensing Officer introduced the report and summarised it for everyone. He explained that details of the “old” convictions had been included in the report as they are considered to be relevant to consideration of the application. He also reminded Members of their Policy.

MI put his case and answered questions highlighting the following:

- Most the crimes he has been convicted for occurred during his youth; he had a bad childhood
- Since being released from prison he has not done anything wrong, apart from the isolated incident in 2011
- He was working in his uncle’s shop when some people came in and tried to steal alcohol; he felt threatened and picked up a

knife to defend himself

- He pleaded guilty at his trial having admitted picking up the knife; the trial was a Newton hearing, he pleaded guilty as he did want to go to prison and he explained what had happened and the circumstances, and received a suspended sentence - 8 months in prison; this was probably because of his previous record
- Following the offence his uncle asked him if he wanted to continue working in the shop and he decided that he was capable of working in such an environment as the offence was out of character – he is not a violent person
- He has a family to support, but it is difficult to find work because of his criminal record; he has found that he has to work with illegal immigrants for below the minimum wage in a variety of different jobs
- The 6 penalty points on his DVLA Licence (MS90) relate to a speeding offence (this is a Minor Traffic Offence in the Policy)
- He was born in the UK but his family moved to Pakistan when he was 11 or 12 years old; his mother did and his father returned to the UK leaving in Pakistan; it was a very different culture and environment than the UK; it was very violent and dangerous, and he had to work hard on the land to get any money; the violent culture had a profound impact on him and when he returned to the UK he was a different type of person; this was why he turned to crime
- Referring to the 2011 offence, he stated that his uncle had been subjected to a similar incident at a shop in Stapleton Road and he kept a knife behind the counter; this was not a knife, more just a piece metal and was not in public place but behind the counter
- He summed up his case – he was frightened and just defending himself in relation to the 2011 offence; he is not a violent person and would never go looking for trouble or carry an offensive weapon; there have no other incidents since he was released from prison and this is an isolated one; he will never do anything wrong again; he is not a criminal and would not harm anyone

- He tabled references that are contained in the Minute Book

All parties and the representatives of the Director of Neighbourhoods left the room.

Details of the Committee's findings and reasons for the decision are set out in Appendix 1.

All parties and the representatives of the Director of Neighbourhoods returned to the room to hear the decision of the Committee.

Resolved – (i) that MI be granted a Private Hire Driver's Licence as he is considered a fit and proper person to hold such a licence; and

(ii) that MI be expected to take the Gold Standard Test within 1 year of being granted the Licence.

PSP

135.4/14 Information Item - Date of Next Meeting

Resolved – that the next meeting will be held on Tuesday 6th May 2014 at 10.00 a.m. and is likely to be a meeting of the Full Committee followed by Sub-Committee A.

(The meeting ended at 11.50 am.)

CHAIR

Bristol City Council**Minutes of Meeting
of The Public Safety and Protection
Sub-Committee B
held on 8th April 2014 at 10.30 am****PSP 134.4/14****Agenda Item No. 7****Agenda title****Application for the Grant of a Private Hire Drivers Licence - MI****Finding of Facts**

MI has been convicted of a number of offences, most recently on 15th August 2011 – Possess knife/sharp pointed article in a public place.

Decision

That MI be granted a Private Hire Driver's Licence as he is considered a fit and proper person to hold such a licence.

That MI is be expected to take the Gold Standard Test within 1 year of being granted the Licence.

Members considered very carefully all of the written and verbal evidence presented to them.

Members noted how his young life was disrupted by being taken to Pakistan and his mother dying. They noted the violent culture and environment that he experienced in Pakistan, and the effects this had on him and his attitude, and his actions when he returned to the UK.

They noted the circumstances of the 2011 offence – previous similar incidents in other shops, on-going adjacent violent disturbances and how he felt threatened, and picked up the knife to defend himself. They accepted that he would not go looking for trouble or carry an offensive weapon. They noted that he has shown remorse for the offence.

They decided to grant him a Private Hire Driver's Licence as he is considered a fit and proper person to hold such a licence. They also decided that he should be expected to take the Gold Standard Test within 1 year of being granted the Licence. This test will assist him in dealing with difficult situations such as the one faced at the time of the 2011 offence.

Chair's Signature