

**BRISTOL CITY COUNCIL**

**MINUTES OF A MEETING OF THE  
PUBLIC SAFETY AND PROTECTION SUB-COMMITTEE A  
HELD ON 16<sup>TH</sup> DECEMBER 2010 AT 11.00 A.M.**

P Councillor Muriel Cole  
P Councillor Brenda Hugill (in the Chair)  
P Councillor Jay Jethwa  
A Councillor Tim Leaman  
P Councillor Guy Poultney

**PSP**

**139.12/10 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS**

Apologies were received from Councillor Leaman.

**PSP**

**140.12/10 DECLARATIONS OF INTEREST**

Councillor Jethwa stated that she recognised the colleague accompanying MEC.

**PSP**

**141.12/10 PUBLIC FORUM**

Nothing was received.

**PSP**

**142.12/10 CONSIDERATION OF THE SUSPENSION OF COMMITTEE  
PROCEDURE RULES (CMR 10 AND 11) RELATING TO THE  
MOVING OF MOTIONS AND RULES OF 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**

**143.12/10 EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED - that under Section 100A of the Local Government Act 1972 the public be excluded from the meeting for the following item of business on the grounds that involves the likely disclosure of exempt information as defined in Part I of Schedule 12A to the Act, as amended.**

**PSP**

**144.12/10 APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - MEC**

(Exempt paragraph 3 - Information relating to a person's financial or business affairs)

(During this item Councillor Hugill had to leave the room and Councillor Poultney took the Chair. Councillor Hugill took no part in the decision making.)

The Sub-Committee considered a report of the Director of Neighbourhoods (agenda item no. 6) considering an application for the grant of a private hire driver's licence.

MEC was in attendance, accompanied by a colleague.

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

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

MEC then tabled a written statement, a copy of which is contained in the Minute Book. He confirmed that he no longer has anything to do with the other three people involved in the incident.

His colleague then a statement in support of MEC highlighting the following:

- He has known MEC for a number of years
- He trained MEC as a taxi driver
- MEC comes from a respectable family
- MEC was a teacher in Pakistan and the UK

- MEC was living with the other three people when one of them was attacked and hit with an iron
- The other three had been threatened
- He had gone to see the person who was alleged to have instigated the attack and been told that the incident should not have happened as it had not been intended that anyone would get hurt
- MEC is not a criminal and just been sharing a house with others at the time of the incident
- MEC had pleaded guilty in court but had not understood the consequences of the conviction and its affect on his taxi license
- MEC has a family and is a good reliable worker

In response to questions MEC highlighted the following:

- They had gone to the office in question to obtain a car registration number, as suggested by the Police
- The others had got out and gone into the office
- He had followed them in to bring them back, but had been sworn at by the person in the office and had kicked the door in frustration as he walked out; the door had already been damaged before he went into the office
- He regretted the incident and would behave differently in a similar situation in the future
- He had not been represented in court, had pleaded guilty and all four had received the same sentence

He summed up his case.

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 - that the application for the grant of a Private Hire Driver's License be refused as he has not satisfied the Council he is a fit and proper person to hold such a license.**

**PSP**

**145.12/10 STREET TRADING CONSENT HOLDER - ALLEGED OFFENCES - MS**

(Exempt paragraph 3 - Information relating to a person's financial or business affairs)

(Councillor Hugill re-took the Chair for this item.)

The Sub-Committee considered a report of the Director of Neighbourhoods (agenda item no. 7) concerning alleged offences by a Street Trading Consent Holder.

MS was in attendance.

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

The Representative of the Service Director, Legal Services the legal situation concerning street trading consents.

The Licensing Officer introduced the report and summarised it for Members. He also stated that the words "was adopted by Members in their Policy of May 2008" should be deleted from paragraph 6 of the report.

MS then put his case and answered questions highlighting the following:

- The fireworks were bought for home use - a private party; he was storing them in the van as it was safer than storing them at home
- He had sold some to friends, but had not made any money from the sale

- Some fireworks were outside the van because someone was looking at them, the rest were in the van
- He was sorry about both incidents
- The wine - 108 bottles - had been bought the previous week to be given as gifts to his regular customers from someone who approached him; he did not ask the person for any documentation
- The wine which is not given as gifts to customers will be consumed at home, none of it will be sold
- He was not aware that a license was required to give away alcohol
- He has a family to support
- He sells burgers, bacon rolls, etc.
- The fireworks he bought previously had been stolen from his van; he had reported the theft to the Police
- There were some fireworks within 2 to 3 feet of the cooking griddle
- He paid cash for both the fireworks and alcohol out of his own pocket
- He accepted that he had no way of knowing or checking if the goods he had purchased had been stolen
- He summed up his case

The Representative of the Service Director, Legal Services advised Members that a suitable authorisation is required where alcohol is supplied.

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 2.

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

**RESOLVED - that the Street Trading Consent held by MS be revoked with immediate effect.**

## **INFORMATION ITEM**

**PSP**

**146.12/10 DATE OF NEXT MEETING**

**RESOLVED - that the next meeting be held on Monday 10<sup>th</sup> January 2011 at 10.00 a.m. and is likely to be a meeting of Sub-Committee B.**

(The meeting ended at 1.25 pm.)

CHAIR

**BRISTOL CITY COUNCIL****MINUTES OF A MEETING OF THE  
PUBLIC SAFETY AND PROTECTION SUB-COMMITTEE A  
HELD ON 16<sup>th</sup> DECEMBER 2010****PSP****144.12/10****Agenda item no: 6****Agenda title:****APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S  
LICENCE - MEC****Findings of Fact**

MEC was convicted of Criminal Damage at Bristol Magistrates Court on 4<sup>th</sup> June 2010.

**Decision**

That the application for the grant of a Private Hire Driver's License be refused as he has not satisfied the Council he is a fit and proper person to hold such a license.

**Reasons for Decision**

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

Members did not consider that they had heard anything that persuaded them that this applicant was entitled to be treated as an exception enabling them to set aside their Policy in this case. They therefore decided to refuse the application for the grant of a Private Hire Driver's License by MEC as, having regard to the relevant policy, he had not satisfied them that he is a fit and proper person to hold such a licence.

**Chair's Signature**

**BRISTOL CITY COUNCIL**

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**PSP**

**145.12/10**

**Agenda item no: 7**

**Agenda title:**

**STREET TRADING CONSENT HOLDER - ALLEGED OFFENCES - MS**

**Findings of Fact**

MS is under investigation for being in possession of explosives (fireworks) and alcohol without the required licenses.

**Decision**

That the Street Trading Consent held by MS be revoked with immediate effect.

**Reasons for Decision**

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

Members did not find the account provided by MS to be credible .

However, if everything that MS had stated was true, he could not be considered a suitable person to hold a consent allowing him to trade in the streets of Bristol.

Members therefore decided that the Street Trading Consent held by MS be revoked with immediate effect.

**Chair's Signature**