

**MINUTES OF A MEETING OF THE
PUBLIC SAFETY AND PROTECTION SUB-COMMITTEE A
HELD ON 31st JULY 2012 AT 10.00 A.M.**

P Councillor Alf Havvock
A Councillor Fi Hance
P Councillor Brenda Hugill
P Councillor Jay Jethwa
P Councillor Tim Leaman (for Cllr Hance)

PSP

43.7/12 APOLOGIES FOR ABSENCE AND SUBSTITUTIONS

Apologies were received from Councillor Hance, substitute Councillor Leaman.

PSP

44.7/12 DECLARATIONS OF INTEREST.

the following declarations were received:

(i) Agenda item No. 7 - Councillor Jethwa stated that although SAR has managed a public house in Stockwood, she has no knowledge of him.

(ii) Agenda Item No. 9 - Councillor Havvock knows the applicant CB and therefore absented himself from the Meeting whilst this item was considered.

(iii) Agenda Item No. 12 - Councillor Jethwa recognised the person accompanying IR as he runs a business adjacent to hers and has visited her business.

PSP

45.7/12 PUBLIC FORUM

Nothing was received.

PSP

46.7/12 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
47.7/12**

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 I of Schedule 12A to the Act, as amended.

**PSP
48.7/12**

APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - MS.

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

The Sub-Committee considered an exempt report of the Director of Neighbourhoods and City Development (Agenda Item No. 6) considering an application for the grant of a Private hire driver's licence.

MS was in attendance.

The Chair explained the procedure that would be followed.

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

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

- When he first arrived in the UK he rented a property from an agency. The agency took his money and his passport. He had just arrived from Poland and had a different mindset. The first conviction is related to MS trying to get his passport and money back. This took two months. He then lived in a squat in London with a number of other people. He did not know squatting was illegal. 15-20 people lived there. The Police arrested everyone living there.
- He has not done anything wrong since then and is a different person. He now rents a property in Pill and works full time. He wishes to continue to improve.
- He summed up his case

The Licensing Officer advised Members that MS has passed his DSA Test, Medical Examination and the Hackney Carriage Knowledge Test

All parties and the representatives of the Director of Neighbourhoods and City Development 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 and City Development 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 by MS be approved.

**PSP
49.7/12**

APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - SAR.

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

The Sub-Committee considered an exempt report of the Director of Neighbourhoods and City Development (Agenda Item No. 7) considering an application for the grant of a Private hire driver's licence.

SAR was in attendance.

The Chair explained the procedure that would be followed.

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

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

- He has never been in trouble before this is despite growing up in a troubled area.
- He had been drinking alcohol; there was some verbal abuse followed by an altercation; he accepts that he did wrong
- He is a family man and has worked all his life
- He has a personal license and has run a number of public houses
- He now wants a taxi license to provide a living
- He assured Members no such incident would ever happen again
- He has always managed difficult situations well; he does not argue with people but speaks to them and calms them down; this was an exception and has since spoken to the other man and apologised to him. It was a very regretful, one off incident.
- He summed up his case

All parties and the representatives of the Director of Neighbourhoods and City Development 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 and City Development 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 by SAR be approved.

PSP

50.7/12

APPLICATION FOR THE GRANT OF A HACKNEY CARRIAGE LICENCE SEEKING DEPARTURE FROM BRISTOL CITY COUNCIL POLICY - MA

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

It was noted that MA had not brought the vehicle for inspection by the Members, although requested to do so. MA apologised for this, but without seeing the vehicle Members cannot make a decision.

It was therefore

RESOLVED - that consideration of this application be deferred until a future Meeting of the Committee.

PSP

51.7/12

APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - CB.

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

The Sub-Committee considered an exempt report of the Director of Neighbourhoods and City Development (Agenda Item No. 9) considering an application for the grant of a Private hire driver's licence.

CB was in attendance, accompanied by an employer.

The Chair explained the procedure that would be followed.

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

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

- During 2004 and 2005 he had become depressed after his

grandmother died. She was like a mother to him and he started using cocaine; things then got out of control and he began selling cocaine to pay off debts to suppliers

- He is now a reformed man having found religion when he was in prison and is an improved person; he was released from prison in 2009
- He has children to support, also a partner and has previously worked for a taxi company as well as selling cars
- He manages a local football team
- Although he did not have his DVLA License with him, he assured Members he only has 3 points on it for a speeding offence
- There have no other incidents since 2006 and he has never had any problems whilst working as a taxi driver
- He had bought the pepper spray as protection for his girlfriend
- As a result of the confiscation of £53,000 he was forced to re-mortgage his house
- He summed up his case

The employer spoke on behalf of CB confirming that he had previously worked for him and that he (CB) has turned his life around.

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

Details of the Committee's findings and reasons for the decision are set out in Appendix 3.

All parties and the representatives of the Director of Neighbourhoods and City Development 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 by CB be approved, subject to

the Licensing Office seeing his DVLA License and him passing the other parts of the fit and proper test.

PSP

52.7/12

REPORT OF INFORMATION RECEIVED ON AN ENHANCED CRIMINAL RECORD BUREAU CERTIFICATE RELATING TO THE HOLDER OF A HACKNEY CARRIAGE DRIVER'S LICENCE - IH.
(Exempt under paragraph 3 - Information relating to a person's financial or business affairs)

IH was not in attendance.

It was therefore

RESOLVED - that consideration of his case be deferred until a future Meeting of the Committee.

PSP

53.7/12

APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - AMT.
(Exempt under paragraph 3 - Information relating to a person's financial or business affairs)

The Sub-Committee considered an exempt report of the Director of Neighbourhoods and City Development (Agenda Item No. 11) considering an application for the grant of a Private hire driver's licence.

AMT was in attendance.

The Chair explained the procedure that would be followed.

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

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

- He tabled a letter dated 15th July 2012, a copy of which is contained in the Minute Book

- He was living in a shared house at the time of the offence and was having problems with another tenant. He used to work the night shift and sleep during the day. One afternoon after getting up and going to shower, AMT realised the other man had stolen £40 from his room. This issue was not raised.
- Two months later the same man asked to borrow £20. AMT said 'no' to this request but the other tenant was persistent, putting his hand into AMT's pocket.
- The man then hit AMT.
- AMT protected himself and stopped the man who pretended that he had been hit. The man's friend called the police who took AMT to the police station.
- At the Police Station the man's friend acted as a witness
- He did not have enough money to engage a lawyer
- The interview was recorded and he explained to them what had happened; AMT did not push the man, he pushed AMT; he accepted the Caution but did not really understand the situation; he was fingerprinted and released but did not receive a copy of the interview or any paperwork
- He lost his job, became stressed and moved back to Bristol in December 2009 and has been at his present address since since December 2010
- He had been training as a bus driver but ran out of money
- He has never been in trouble before or since the incident
- He summed up his case

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

Details of the Committee's findings and reasons for the decision are set out in Appendix 4.

All parties and the representatives of the Director of Neighbourhoods and City Development 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 by AMT be approved, subject to the Licensing Office seeing his DVLA License and him passing the other parts of the fit and proper test.

PSP

54.7/12

REPORT OF THE CAUTION OF A HOLDER OF A HACKNEY CARRIAGE DRIVER'S LICENCE - IR.

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

The Sub-Committee considered an exempt report of the Director of Neighbourhoods and City Development (Agenda Item No. 12) considering the report of the caution of a holder of a Hackney Carriage driver's licence.

IR was in attendance, accompanied by a colleague.

The Chair explained the procedure that would be followed.

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

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

- He tabled some written references
- The incident happened outside the Motion Night Club when a security guard moved a barrier and another taxi driver picked up one of his passengers; during the altercation that followed the other driver swore at him in Punjabi IR poured Coke over his car
- Later another taxi driver - the other driver's brother - blocked IR's path. IR dropped his passenger off and returned.
- He then encountered the first driver at Old Market; the driver

poured Coke over IR's head so he reacted by hitting him in the face; when the brother appeared - who works for the same company as himself - he got in his car and drove away. The incident was captured on CCTV cameras.

- He was subsequently invited to attend a Police Station where he was interviewed and accepted a Caution; he did not have a solicitor present as he would have had to have waited 3 to 4 hours for one to attend. He thought the caution was just a warning and he did not know it would affect his job prospects.
- He does not know if any action was taken against the other driver
- He has not been involved in any other incidents
- He summed up his case

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

Details of the Committee's findings and reasons for the decision are set out in Appendix 5.

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

RESOLVED - that the Hackney Carriage Driver's License held by IR be suspended for a period of one month.

**PSP
55.7/12**

COMPLAINT OF OFFENDING CONDUCT BY PRIVATE HIRE DRIVER LICENCE - RH.

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

RH was not in attendance.

It was therefore

RESOLVED - that consideration of this case be deferred until

a future Meeting of the Committee.

PSP

56.7/12

DATE OF NEXT MEETING

**RESOLVED - that the next meeting will be held on Tuesday
11th September 2012 at 10.00 am and is likely to
be a meeting of Sub-Committee B.**

(The meeting ended at 3.30 pm.)

CHAIR

BRISTOL CITY COUNCIL**MINUTES OF MEETING
OF THE PUBLIC SAFETY AND PROTECTION
SUB-COMMITTEE A
HELD ON 31st JULY 2012 AT 10.00 AM****PSP 48.7/12****Agenda item no: 6****Agenda title****APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE - MS****Finding of Facts**

MS has two convictions dated 16th August 2006 and 28th July 2008.

Decision

That the application for the grant of a Private Hire Driver's License by MS be approved.

Reasons for Decision

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

Members noted that MS is working, declared his convictions on his application form, has taken training courses, has passed the Hackney Carriage Knowledge Test and has done his best to turn his life around since his convictions. The convictions themselves are four and six years old. Members therefore decided to make an exception to their policy and grant him a Private Hire Driver's License.

Chair's Signature

BRISTOL CITY COUNCIL**MINUTES OF MEETING
OF THE PUBLIC SAFETY AND PROTECTION
SUB-COMMITTEE A
HELD ON 31st JULY 2012 AT 10.00 AM****PSP 49.7/12****Agenda item no: 7****Agenda title****APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE – SAR****Finding of Facts**

SAR accepted a Police Caution for Common Assault on 29th November 2010.

Decision

That the application for the grant of a Private Hire Driver's License by SAR be approved.

Reasons for Decision

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

Members noted that SAR declared his caution on his application form, has a personal license, has run a number of public houses, has a previous good record, that this was a one off incident and that he has apologised for his behaviour and is remorseful. Members therefore decided to make an exception to their policy and grant him a Private Hire Driver's License.

Chair's Signature

BRISTOL CITY COUNCIL**MINUTES OF MEETING
OF THE PUBLIC SAFETY AND PROTECTION
SUB-COMMITTEE A
HELD ON 31ST JULY 2012 AT 10.00 AM.****PSP 51.7/12****Agenda item no: 9****Agenda title****APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE –
CB****Finding of Facts**

CB has three convictions dated 8th February 1993, 26th September 2001 and 21st September 2006.

Decision

That the application for the grant of a Private Hire Driver's License by CB be approved, subject to the Licensing Office seeing his DVLA License and him passing the other parts of the fit and proper test.

Reasons for Decision

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

Members noted the efforts he has made since being released from prison in 2009; that he has a stable life, he is working, that he admitted the offences on his application form and his potential employer was in attendance to support him.

Members therefore decided that he is a fit and proper person and agreed to approve his application, subject to the Licensing Office seeing his DVLA License and him passing the other parts of the fit and proper test.

Chair's Signature

BRISTOL CITY COUNCIL**MINUTES OF MEETING
OF THE PUBLIC SAFETY AND PROTECTION
SUB-COMMITTEE A
HELD ON 31ST JULY 2012 AT 10.00 AM.****PSP 53.7/12****Agenda item no: 11****Agenda title****APPLICATION FOR THE GRANT OF A PRIVATE HIRE DRIVER'S LICENCE –
AMT****Finding of Facts**AMT accepted a Police Caution on 16th February 2009.**Decision**

That the application for the grant of a Private Hire Driver's License by AMT be approved, subject to the Licensing Office seeing his DVLA License and him passing the other parts of the fit and proper test.

Reasons for Decision

Members considered very carefully all of the written and verbal evidence presented to them. Members found the applicant to be convincing and credible. Members noted that the Caution had been accepted more than three years ago, he has had no other problems and appears to be of good character. Members therefore decided to make an exception to their policy and grant him a Private Hire Driver's License, subject to the Licensing Office seeing his DVLA License and him passing the other parts of the fit and proper test.

Chair's Signature

BRISTOL CITY COUNCIL**MINUTES OF MEETING
OF THE PUBLIC SAFETY AND PROTECTION
SUB-COMMITTEE A
HELD ON 31ST JULY 2012 AT 10.00 AM.****PSP 56.7/12****Agenda item no: 12****Agenda title****REPORT OF THE CAUTION OF A HOLDER OF A HACKNEY CARRIAGE
DRIVER'S LICENCE - IR****Finding of Facts**IR accepted a Police Caution on 4th April 2012.**Decision**

That the Hackney Carriage Driver's License held by IR be suspended for a period of one month under section 61 (1) (a) (i) of the Local Government (Miscellaneous Provisions) Act 1976 as he had accepted a caution for an offence involving violence.

Reasons for Decision

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

Members considered that his story was credible, he was honest about the incident, has a previous good record, was provoked and provided written references. Members therefore decided to make an exception to their Policy and only suspend his license for a period of one month.

Chair's Signature