

Minutes of a meeting of the Bradford District Licensing Panel commenced on Tuesday, 28 November 2023 (Committee Room 5, City Hall, Bradford), adjourned and reconvened 11 January 2024 (Banqueting Hall, City Hall, Bradford)

Present – Councillors

LABOUR	CONSERVATIVE
Slater Dodds	F Ahmed

Hearings

CONSIDERATION OF A PERSONAL LICENCE HELD BY A PERSON CONVICTED OF A RELEVANT OFFENCE (SECTION 132A OF THE LICENSING ACT 2003)

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Commenced:	11:30 28 November 2023
Adjourned;	11:50 28 November 2023
Reconvened:	10:00 11 January 2024
Concluded:	10:30 11 January 2024

Present

Member of the Panel

Bradford District Licensing Panel: Councillors M Slater, F Ahmed, J Dodds

Parties to the Hearing:

Mr A M Latif, Personal Licence Holder – 28 November 2023 only

PC Brown, West Yorkshire Police Licensing Officer – 11 January 2024 only

1. DISCLOSURES OF INTEREST

No disclosures of interest in matters under consideration were received.

2. INSPECTION OF REPORTS AND BACKGROUND PAPERS

There were no appeals submitted by the public to review decisions to restrict documents.

3. MEMBERS TO CONSIDER A PERSONAL LICENCE HOLDER, WHO HAS BEEN CONVICTED OF A RELEVANT OFFENCE (SECTION 132A OF THE LICENSING ACT 2003)

The Assistant Director, Waste, Fleet and Transport Services presented a report (**Document “Y”**) which invited Members to consider the licence of a personal licence holder, Mr Azad Mohammed Latif, who had been convicted of a relevant offence (Section 132A Licensing Act 2003).

Members were reminded that, once granted, a personal licence remained valid unless surrendered, suspended, revoked or declared forfeit by the Courts. A Personal Licence had been granted to Mr A M Latif on 16 June 2014 and a copy of that licence was appended to Document “Y”. Also appended were details of relevant offences, offence details and a notice to the personal licence holder.

Document “Y” revealed that the Licensing Authority had been informed by West Yorkshire Police that the personal licence holder had been convicted of a relevant offence as defined in Schedule 4 of the Licensing Act 2003. Mr Latif had not informed the Licensing Authority of the offence.

The Personal Licence holder addressed the meeting and explained that he had been sentenced to prison for tax evasion; that he was not a criminal and did not steal or fight. He had spent nine months in prison; he wished to continue with his life with his children and family and was unsure why there was an objection to his licence.

The sentence which he had received was queried and it was explained, by the Council's Legal Officer, that Mr Latif had two convictions for offences in 2018 and 2019 and had received a sentence of 30 months in prison for each offence. The sentences ran concurrently meaning he would spend 30 months in prison in total.

In response to questions Mr Latif confirmed that he had served only eight months in prison. He told the Panel that someone else had used his name and he had subsequently been found not guilty. In response to his claim that he was not a criminal he explained that he meant that he was not violent.

Members questioned why he had evaded duty and the personal licence holder reported that he worked with a partner who had used Mr Latif's name to purchase cigarettes and not paid tax. He believed had been arrested as the licence was in his name. He had been released after eight and a half months; he was innocent and was released from prison without charge. He explained that his solicitor was pursuing a claim for wrongful imprisonment and that he had never breached the law.

Members agreed to adjourn the meeting to allow Mr Latif to provide details of the claimed wrongful conviction and Mr Latif agreed that he would provide further information about his case. When questioned why he had not informed the Licensing Authority of the conviction he said that he was unaware he had to do so.

At the reconvened meeting on 11 January 2024 the Licensing Officer reiterated the rationale for the hearing and summarised the details of the hearing on 28 November 2023 as a reminder to Members and for the West Yorkshire Police (WYP) Licensing Officer's benefit as he had not been present at that time. Mr Latif failed to attend the reconvened meeting.

The WYP Licensing Officer addressed the meeting and clarified that Mr Latif had been found guilty of tax evasion. He confirmed that, following checks on the police national computer and with the Probation Service, with which Mr Latif had to maintain contact, that the conviction had not been overturned. The WYP Licensing Officer further confirmed Mr Latif was currently released from prison but he was on a licence that will expire on 28 March 2025.

Following a number of questions from Members it was explained, by the WYP Licensing Officer, that WYP receive court details and, when observing convictions of licence holders, the Licensing Authority were notified. It was clarified that two people had been convicted of the same offences which had taken place on 27 October 2018 and 21 January 2019.

It was also clarified that the original offences had been committed in 2018 & 2019 although Mr Latif had not been convicted until 2022. Mr Latif had been released from prison in July 2023. The length of time taken to instigate court proceedings

were discussed and it was felt the Covid pandemic could have exacerbated delays. Members were also advised that the length of the sentence may have been reduced if Mr Latif had spent time on remand.

Resolved –

That having considered the evidence contained in the report of the Assistant Director, Waste, Fleet, Environmental Health and Licensing Services, Document “Y”, the published statement of licensing policy and relevant statutory guidance and to support Part 4 of the licensing policy objective – Prevention of Crime and Disorder, the panel revokes the personal licence of Mr Azad Mohammed Latif.

Reason – it is considered that the above revocation is necessary as the licence holder has been convicted of a relevant offence (Section 132A of the Licensing Act 2003) - Prevention of Crime and Disorder Objective.

To be actioned by Assistant Director, Waste, Fleet, Environmental Health and Licensing Services.

Chair

Note: These minutes are subject to approval as a correct record at the next meeting of the Bradford District Licensing Panel.

THESE MINUTES HAVE BEEN PRODUCED, WHEREVER POSSIBLE, ON RECYCLED PAPER