

MINUTE
of
LICENSING COMMITTEE

Minute of meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock, on 16 September 2025.

Present:

Councillor Paul Edlin
Councillor David MacDonald*
Councillor Andrew Morrison

Councillor Kate Campbell
Provost Mary Montague

(*) indicates remote attendance

Attending:

Nicola McEleny, Senior Solicitor; David Higgins, Civic Government Enforcement Officer; Jillian McGrain, Senior Officer (Private Sector); Arlene MacInnes, Housing Assistant (Private Sector); Lesleyann Burns, Democratic Services Officer and Bethany Mitchell, Assistant Democratic Services Officer

Also Attending:

Inspector Brian Eaglesham and Inspector Alan Ferris.

APOLOGIES FOR ABSENCE

Apologies were submitted by Councillor Colm Merrick.

DECLARATIONS OF INTEREST

1309. Provost Montague indicated that due to being a Ward Councillor who had received questions in relation to Agenda Item 7 and for the purposes of transparency, she would not participate in that item of business.

Resolution to Exclude Press and Public

At this point in the meeting, on the motion of the Chair, the Committee unanimously resolved that in accordance with the provisions of Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the press and public be excluded from the meeting for the remaining items of business on the grounds that they involved the likely disclosure of exempt information as defined in Paragraphs 6 and 14 of Part 1 of Schedule 7A to the Act.

1254

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR RENEWAL

1310. The Committee considered a report by the Chief Officer (Legal and Procurement) in relation to an application for the renewal of a Private Hire Car Driver's Licence (agenda item 3).

The applicant was present, accompanied by his legal representative

Inspector Brian Eaglesham and Inspector Alan Ferris, representing the Chief Constable, who had made an objection to the application, were also present.

Inspector Ferris was heard in respect of the representation submitted by the Chief Constable and in response to questions from members.

The applicant's legal representative was then heard in respect of the application.

The Committee agreed to a short adjournment to consider the matter.

On reconvening, the Committee, having taken account of the applicant's previous convictions, their seriousness and relevance to the licence being applied for, and also having taken account of the representation by the Chief Constable, agreed that the application for renewal be refused on the grounds that the applicant was not a fit and proper person to be the holder of such a licence by virtue of his previous convictions.

PRIVATE HIRE CAR DRIVER'S LICENCE – REQUEST FOR CONSIDERATION OF SUSPENSION

1311. The Committee considered a report by the Chief Officer (Legal & Procurement) in relation to a request for consideration of suspension of both Private Hire Car Driver's Licence and Car operator Licence under Paragraph 11(1) of Schedule 1 of the Civic Government (Scotland) Act 1982 (Agenda Item 4 refers).

The committee noted that given the passage of time the Car Operator Licence had now expired.

The applicant was present.

Inspector Brian Eaglesham and Inspector Alan Ferris, representing the Chief Constable, who had made an objection to the application, were also present.

Inspector Ferris was heard in respect of the representation submitted by the Chief Constable and in response to questions from members.

The applicant was then heard in respect of the application.

The Committee agreed to a short adjournment to consider the matter.

On reconvening, the Committee, having taken account of the applicant's previous convictions, their seriousness and relevance to the licence being applied for, and also having taken account of the representation by the Chief Constable, agreed that the application be refused on the grounds that the applicant was not a fit and proper person to be the holder of such a licence by virtue of his previous convictions and to revoke the applicant's Private Hire Car Driver's Licence.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

1312. The Committee considered a report by the Chief Officer (Legal and Procurement) in relation to an application for the grant of a Private Hire Car Driver's Licence (agenda item 5).

The applicant was present.

Inspector Brian Eaglesham and Inspector Alan Ferris, representing the Chief Constable, who had made an objection to the application, were also present.

Inspector Ferris was heard in respect of the representation submitted by the Chief Constable and in response to questions from members.

The applicant was then heard in respect of the application.

The Committee agreed to a short adjournment to consider the matter.

On reconvening, the Committee, having taken account of the applicant's previous convictions, their seriousness and relevance to the licence being applied for, and also having taken account of the representation by the Chief Constable, refused the application for renewal of the Private Hire Driver's Licence on the grounds that the applicant was not a fit and proper person to be the holder of such a licence.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

1313. The committee considered a report by the Chief Officer (Legal and Procurement) in relation to an application for the grant of a Private Hire Car Driver's Licence (agenda item 6).

The applicant was present.

Inspector Brian Eaglesham and Inspector Alan Ferris, representing the Chief Constable, who had made an objection to the application, were also present.

Inspector Ferris was heard in respect of the representation submitted by the Chief Constable and in response to questions from members.

The applicant was then heard in respect of the application.

The Committee agreed to a short adjournment to consider the matter.

On reconvening, the Committee, having taken account of the applicant's previous convictions, their seriousness and relevance to the licence being applied for, and also having taken account of the representation by the Chief Constable, refused the application for a Private Hire's Driver's Licence on the grounds that the applicant was not a fit and proper person to be the holder of such a licence.

PRIVATE LANDLORD REGISTRATION

1314. The committee considered a report by the Director of Environment regarding an application for inclusion on the Register of Social Landlords under the terms of the Antisocial Behaviour etc. (Scotland) Act 2004, as amended (agenda item 7 refers).

The Senior Housing Officer (Private Sector) was heard in respect of the application and in response to questions from Members.

The applicant was then heard in respect of the application and in response to questions.

The Committee agreed to a short adjournment to consider the matter.

Following discussion the committee agreed with and accepted the Housing Officer's recommendation to:

- (a) refuse the applicant's 'fit and proper' status and refuse the application to be entered upon the register of private landlords;
- (b) authorise Council officers to draw up Rent Penalty Notices and serve them on the Applicant in the event the Applicant does not cease acting as private landlord;
- (c) authorise Council officers to report the Applicant to the Procurator Fiscal, in the event that they do not cease acting as a private landlord;
- (d) authorise Council officers to cooperate with the Procurator Fiscal and Police in any criminal investigation and prosecution relating to this matter; and
- (e) authorise Council officers to defend any litigation instituted by the Applicant in respect of their registration being refused or against the service of Rent Penalty Notices.

Advise the applicant of the decision and make appropriate arrangements to implement decisions (b) to (d) above.

CHAIR