

MINUTE
of
LICENSING COMMITTEE

Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock, on 21 January 2020.

Present:

Councillor Angela Convery (Chair)
Councillor Charlie Gilbert

Councillor Alan Lafferty
Councillor Stewart Miller

Councillor Convery in the Chair

Attending:

Jacqui McCusker, Senior Solicitor; Brian Kilpatrick, Civic Government Enforcement Officer; and Paul O'Neil, Committee Services Officer.

Also Attending:

Sergeants Scott Brown and Lisa Miller, Police Scotland.

Apology:

Councillor Betty Cunningham (Vice Chair).

DECLARATIONS OF INTEREST

1150. There were no declarations of interest intimated.

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 undernoted 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.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

1151. 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 3 refers).

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The applicant was present.

Sergeants Brown and Miller, representing the Chief Constable who had made an objection in respect of the application, were present.

The report explained that in determining the application it would be for the committee to decide what weight it wished to attach to the objection by the Chief Constable and its relevance to the type of licence being applied for.

Sergeant Brown was heard in respect of the objection submitted by the Chief Constable and in response to questions from Members.

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

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 objection by the Chief Constable, agreed that the application be refused.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

1152. 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 4 refers).

The applicant, having been invited to attend, was not present.

Sergeants Brown and Miller, representing the Chief Constable who had made an objection in respect of the application, were present.

The committee agreed to defer consideration of the application to the next meeting to allow the applicant to make a personal appearance. In the event that the applicant again failed to appear the committee would proceed to determine the application in his absence.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

1153. 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 refers).

The applicant, having been invited to attend, was not present.

Sergeants Brown and Miller, representing the Chief Constable who had made an objection in respect of the application, were present.

The committee agreed to defer consideration of the application to the next meeting to allow the applicant to make a personal appearance. In the event that the applicant again failed to appear the committee would proceed to determine the application in his absence.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

1154. 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 refers).

The applicant, having been invited to attend, was not present.

Sergeants Brown and Miller, representing the Chief Constable who had made an objection in respect of the application, were present.

The committee agreed to defer consideration of the application to the next meeting to allow the applicant to make a personal appearance. In the event that the applicant again failed to appear the committee would proceed to determine the application in his absence.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

1155. 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 7 refers).

The applicant was present.

Sergeants Brown and Miller, representing the Chief Constable who had made an objection in respect of the application, were present.

The report explained that in determining the application it would be for the committee to decide what weight it wished to attach to the objection by the Chief Constable and its relevance to the type of licence being applied for.

Sergeant Brown was heard in respect of the objection submitted by the Chief Constable and in response to questions from Members.

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

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

On reconvening, the committee, having taken account of the applicant's previous conviction, its seriousness and relevance to the licence being applied for, and also having taken account of the objection by the Chief Constable, agreed that the application be granted for a period of one year, subject to standard terms and conditions.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

1156. 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 8 refers).

The applicant was present.

Sergeants Brown and Miller, representing the Chief Constable who had made an objection in respect of the application, were present.

The report explained that in determining the application it would be for the committee to decide what weight it wished to attach to the objection by the Chief Constable and its relevance to the type of licence being applied for.

Sergeant Brown was heard in respect of the objection submitted by the Chief Constable and in response to questions from Members.

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

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 objection by the Chief Constable, agreed that the application be refused.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

1157. 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 9 refers).

The applicant, having been invited to attend, was not present.

Sergeants Brown and Miller, representing the Chief Constable who had made an objection in respect of the application, were present.

The committee agreed to defer consideration of the application to the next meeting to allow the applicant to make a personal appearance. In the event that the applicant again failed to appear the committee would proceed to determine the application in his absence.

PRIVATE HIRE CAR DRIVER'S/OPERATOR'S LICENCES – REQUEST FOR SUSPENSION

1158. The committee considered a report by the Chief Officer - Legal and Procurement in relation to a request from the Chief Constable for the suspension, in terms of Paragraph 11(1) of Schedule 1 of the Civic Government (Scotland) Act 1982, of a Private Hire Car Driver's Licence and a Private Hire Car Operator's Licence on the grounds that the licence holder was no longer a fit and proper person to be the holder of such licences by virtue of the circumstances outlined in the letter from the Chief Constable (Agenda Item 10 refers).

The licence holder was present accompanied by his solicitor, Mr Gilius.

Sergeants Brown and Miller, representing the Chief Constable who had made the request, were present.

Sergeant Brown was heard in respect of the request submitted by the Chief Constable and in response to questions from Members.

The licence holder's solicitor requested that in the absence of information that his firm had requested from Police Scotland in relation to the alleged incident, consideration of the matter be continued to allow Police Scotland to conclude their enquiries.

Having fully discussed the circumstances, the committee agreed that:

- (a) consideration of the matter be continued to a future meeting to allow Police Scotland to conclude their enquiries; and
- (b) the licence holder's licences continue to be suspended until such time as the committee had made a decision on the matter.

CHAIR

