

**MINUTE**  
**of**  
**LICENSING COMMITTEE**

**Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock, on 12 November 2019.**

**Present:**

Councillor Angela Convery (Chair)  
Councillor Charlie Gilbert

Councillor Alan Lafferty

Councillor Convery in the Chair

**Attending:**

Jacqui McCusker, Senior Solicitor; Brian Kilpatrick, Civic Government Enforcement Officer; and Ron Leitch, Committee Services Officer.

**Also Attending:**

Inspector Bryan McGeoch and Constable Simon Roy, Police Scotland.

**Apology**

Councillor Betty Cunningham (Vice Chair).

**DECLARATIONS OF INTEREST**

**1086.** 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.

**Variation in Order of Business**

In accordance with Standing Order 20, Councillor Convery agreed to vary the order of business as printed on the agenda in order to facilitate the conduct of the meeting.

### **PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT**

**1087.** The committee considered a report by the Chief Officer (Legal & Procurement) in relation to an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 3 refers).

The applicant was present.

Inspector McGeoch and Constable Roy representing the Chief Constable, who had made an objection in respect of the application, were also 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.

Constable Roy 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 granted for a period of 1 year subject to standard terms and conditions.

### **PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR RENEWAL**

**1088.** The committee considered a report by the Chief Officer (Legal & Procurement) in relation to an application for the renewal of a Private Hire Car Driver's Licence (Agenda Item 4 refers).

The applicant was present.

Inspector McGeoch and Constable Roy representing the Chief Constable, who had made an objection in respect of the application, were also 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.

Constable Roy 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 granted and the licence renewed for a period of 3 years subject to standard terms and conditions.

**PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT**

**1089.** The committee considered a report by the Chief Officer (Legal & Procurement) in relation to an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 5 refers).

The applicant was present and accompanied by his solicitor Mr Campbell.

Inspector McGeoch and Constable Roy representing the Chief Constable, who had made an objection in respect of the application, were also 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.

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

Mr Campbell, the applicant's solicitor, 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 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 – APPLICATION FOR GRANT**

**1090.** The committee considered a report by the Chief Officer (Legal & Procurement) in relation to an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 6 refers).

The applicant was present.

The Senior Solicitor was heard in explanation of the implications of there being no Certificate of Good Conduct available.

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 agreed that the application be granted for a period of 1 year subject to standard terms and conditions.

**PRIVATE HIRE CAR DRIVER'S LICENCE – REQUEST FOR SUSPENSION**

**1091.** The committee considered a report by the Chief Officer (Legal & Procurement) in relation to a request for the suspension of a Private Hire Car Driver's Licence on the grounds

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that the licence holder was no longer a fit and proper person to be the holder of such a licence by virtue of the circumstances outlined by the Civic Government Enforcement Officer (Agenda Item 8 refers).

The licence holder was present and accompanied by his solicitor Mr Mitchell.

The Civic Government Enforcement Officer was heard in respect of the request and in response to questions from Members.

Mr Mitchell, the licence holder's solicitor, was then heard in respect of the report by the Civic Government Enforcement Officer and in response to questions from Members.

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

On reconvening, the committee agreed not to suspend the licence in terms of Paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982. However, the licence holder would be issued with a final written warning as to his future conduct.

#### **PRIVATE HIRE CAR DRIVER'S LICENCE – REQUEST FOR SUSPENSION**

**1092.** The committee considered a report by the Chief Officer (Legal & Procurement) in relation to a request for the suspension of a Private Hire Car Driver's Licence on the grounds that the licence holder was no longer a fit and proper person to be the holder of such a licence by virtue of the circumstances outlined in the letter from the Chief Constable (Agenda Item 10 refers).

The licence holder was present.

Inspector McGeoch and Constable Roy, representing the Chief Constable who had made the request, were also present.

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

The licence holder was then heard in respect of the request and in response to questions from Members.

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

On reconvening, the committee agreed not to suspend the licence in terms of Paragraph 12(1) of Schedule 1 of the Civic Government (Scotland) Act 1982.

#### **PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT**

**1093.** The committee considered a report by the Chief Officer (Legal & Procurement) in relation to an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 11 refers).

The applicant was present and accompanied by his solicitor Mr Mitchell.

Inspector McGeoch and Constable Roy representing the Chief Constable, who had made a representation in respect of the application, was also 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 representation by the Chief Constable and its relevance to the type of licence being applied for.

Constable Roy was heard in respect of the representation submitted by the Chief Constable and in response to questions from Members.

Mr Mitchell, the applicant's solicitor, 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 representation by the Chief Constable, agreed that the application be granted for a period of 1 year subject to standard terms and conditions.

#### **PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT**

**1094.** The committee considered a report by the Chief Officer (Legal & Procurement) in relation to an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 12 refers).

The applicant was present.

Inspector McGeoch and Constable Roy representing the Chief Constable, who had made an objection in respect of the application, were also 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.

Constable Roy 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 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 – APPLICATION FOR GRANT**

**1095.** The committee considered a report by the Chief Officer (Legal & Procurement) in relation to an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 7 refers).

The applicant, having been invited to attend, was not present and the committee proceeded to determine the application in his absence.

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Inspector McGeoch and Constable Roy representing the Chief Constable, who had made a representation 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 representation by the Chief Constable and its relevance to the type of licence being applied for.

Constable Roy was heard in respect of the representation submitted by the Chief Constable and in response to questions from Members.

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 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 conviction.

### **PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT**

**1096.** The committee considered a report by the Chief Officer (Legal & 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 and the committee proceeded to determine the application in his absence.

Inspector McGeoch and Constable Roy 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.

Constable Roy was heard in respect of the objection submitted by the Chief Constable 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 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.

CHAIR