

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

**Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock, on 13 August 2019.**

**Present:**

Councillor Angela Convery (Chair)  
Councillor Betty Cunningham (Vice-Chair)

Councillor Charlie Gilbert  
Councillor Stewart Miller

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, Sergeant Scott Brown, and Angela Barr, Police Scotland.

**Apology:**

Councillor Alan Lafferty.

**DECLARATIONS OF INTEREST**

**957.** 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 19, 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 – REQUEST FOR SUSPENSION**

**958.** 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 6 refers).

The licence holder was present.

Inspector McGeoch and Sergeant Brown, representing the Chief Constable who had made the request, were also 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 was then heard in respect of the request and in response to questions from Members.

Having fully discussed the circumstances, the committee agreed not to suspend the licence in terms of Paragraph 12 of Schedule 1 of the Civic Government (Scotland) Act 1982 pending the outcome of the forthcoming court case.

The licence holder was reminded of his obligation under the terms and conditions of the licence to immediately advise the Council if he was later found guilty of any offence in court.

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

**959.** The committee considered a report by the Chief Officer (Legal & Procurement) in relation to a request for the suspension of 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 a licence by virtue of the circumstances outlined in the letter from the Chief Constable (Agenda Item 7 refers).

The licence holder was present.

Inspector McGeoch and Sergeant Brown, representing the Chief Constable who had made the request, were also 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 was then heard in respect of the request and in response to questions from Members.

Having fully discussed the circumstances, the committee agreed not to suspend the licence in terms of Paragraph 12 of Schedule 1 of the Civic Government (Scotland) Act 1982 pending the outcome of the forthcoming court case.

The licence holder was reminded of his obligation under the terms and conditions of the licence to immediately advise the Council if he was later found guilty of any offence in court.

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

**960.** 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.

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

Sergeant Brown 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 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 representation 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**

**961.** 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 4 refers).

The applicant was present.

Inspector McGeoch and Sergeant Brown, 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.

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 applicant advised the committee that his previous Private Hire Car Driver's Licence and Private Hire Car Operator's Licence issued by Glasgow City Council had both been revoked due to his failure to comply with the conditions attached to his Private Hire Car Driver's Licence in that he failed to complete the approved training course and obtain a pass

certificate within 6 months of the date of grant or renewal of his licence. He further failed to comply with these conditions in that he refused to carry a guide dog in his vehicle. The committee considered that this rendered him to be not a fit and proper person to be the holder of a Private Hire Car Driver's Licence.

Thereafter, the committee, having also 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 failure to comply with the terms and conditions of his previous Private Hire Car Driver's Licence issued by Glasgow City Council and his manner at the meeting which the committee considered to be unacceptable.

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

**962.** 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 Sergeant Brown, 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.

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 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 her previous conviction.

CHAIR