

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

**Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock, on 11 October 2016.**

**Present:**

Councillor Tommy Reilly (Chair)	Councillor Charlie Gilbert
Councillor Kenny Hay (Vice Chair)	Councillor Stewart Miller

Councillor Reilly in the Chair

**Apology:**

Councillor Betty Cunningham.

**Attending:**

Liz Currie, Strategy and Development Manager (Housing); and Jillian McGrain, Principal Housing Officer (Private Sector); (Item 2227 only); Jacqui McCusker, Senior Solicitor; and Ron Leitch, Committee Services Officer.

**Also Attending:**

Chief Inspector Angela Carty and Sergeant Craig Brady, Police Scotland (Items 2225 and 2226 only).

**DECLARATIONS OF INTEREST**

**2224.** 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 following items 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**

**2225.** The committee considered a report by the Chief Officer (Legal & Procurement) regarding an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 3 refers). The applicant was present. Chief Inspector Carty and Sergeant Brady, representing the Chief Constable who had made an objection in respect of the application, were also present.

The report explained that in terms of the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2003, applicants for Taxi and Private Hire Car Driver's Licences were required to disclose all previous convictions, both "spent" and "live". Details of the applicant's previous convictions were listed.

The report further explained that in determining the application it would be for the committee to decide what weight it wished to attach to the applicant's previous convictions, taking account of the period of time since the commission of the offence, its relevance to the type of licence being applied for, and also the objection by the Chief Constable.

Chief Inspector Carty 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.

Following brief discussion and having taken account of the submission made by the applicant, his previous convictions, their seriousness and relevance to the licence being applied for, and also having taken account of the objection by the Chief Constable, the committee 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**

**2226.** Under reference to the Minute of the meeting of 16 August 2016 (Page 1988, Item 2123 refers) when it had been agreed to defer consideration of the application to enable the applicant to make a personal appearance, the committee considered a report by the Chief Officer (Legal & Procurement) in respect of the application (Agenda Item 4 refers). The applicant was present. Chief Inspector Carty and Sergeant Brady, representing the Chief Constable who had made an objection in respect of the application, were also present.

The report explained that in terms of the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2003, applicants for Taxi and Private Hire Car Driver's Licences were required to disclose all previous convictions, both "spent" and "live". Details of the applicant's previous convictions were listed.

The report further explained that in determining the application it would be for the committee to decide what weight it wished to attach to the applicant's previous convictions, taking account of the period of time since the commission of the offences, their relevance to the type of licence being applied for, and also the objection by the Chief Constable.

Chief Inspector Carty 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.

Following brief discussion the committee agreed to a short adjournment to consider the matter.

On reconvening, the committee, having taken account of the submission made by the applicant, his 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 LANDLORD REGISTRATION**

**2227.** 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 5 refers). The applicant was present. The Strategy and Development Manager (Housing) and the Principal Housing Officer (Private Sector) were also present.

The Principal 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 from members

Following a brief discussion the committee agreed that the application for inclusion on the Register of Private Landlords be approved.

CHAIR

