

MINUTE
of
LICENSING COMMITTEE

Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock, on 14 August 2014.

Present:

Councillor Tommy Reilly (Chair),
Councillors Kenny Hay (Vice Chair)

Councillor Betty Cunningham
Councillor Charlie Gilbert

Councillor Reilly in the Chair

Apology:

Councillor Stewart Miller.

Attending:

Jacqui McCusker, Senior Solicitor; and Ron Leitch, Committee Services Officer.

Also Attending:

Sergeant Daniela Giannoni and Tracy Logue, Police Scotland.

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 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.

APPLICATION FOR PRIVATE HIRE CAR DRIVER'S LICENCE

1151. 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).

Having heard the Senior Solicitor advise that the applicant's solicitor was unable to attend the meeting, the committee agreed to continue consideration of the report to a future meeting of the committee to allow the applicant to be legally represented.

APPLICATION FOR PRIVATE HIRE CAR DRIVER'S LICENCE

1152. The committee considered a report by the Chief Officer (Legal & Procurement) regarding an application for the renewal of a Private Hire Car Driver's Licence (Agenda Item 4 refers). The applicant was present. Sergeant Giannoni and Ms Logue, representing the Chief Constable who had made a representation 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 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 into account the period of time since the commission of the offences, their relevance to the type of licence being applied for, and also the representation by the Chief Constable.

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

The applicant was heard in respect of the application and in response to questions from Members, following which 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 representation made by the Chief Constable, agreed that a licence be granted for a period of 1 year subject to standard terms and conditions.

APPLICATION FOR PRIVATE HIRE CAR DRIVER'S LICENCE

1152. 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 5 refers). The applicant was present accompanied by a companion. Sergeant Giannoni and Ms Logue, representing the Chief Constable who had made a representation 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 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 into account the period of time since the commission of the offence, its seriousness and relevance to the type of licence being applied for, and also the representation by the Chief Constable.

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

The applicant was heard in respect of the application and in response to questions from Members, following which 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, her previous convictions, their seriousness and relevance to the licence being applied for, and also having taken account of the representation made by the Chief Constable, agreed that the licence be refused on the grounds that the applicant was not considered to be a fit and proper person by virtue of her previous convictions

CHAIR

