

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

**Minute of Meeting held at 4.00pm in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock, on 24 September 2014.**

**Present:**

Councillor Tommy Reilly (Chair),	Councillor Charlie Gilbert
Councillors Kenny Hay (Vice Chair)	Councillor Stewart Miller
Councillor Betty Cunningham	
Councillor Reilly in the Chair	

**Attending:**

Jacqui McCusker, Senior Solicitor; and Jennifer Graham, Committee Services Officer.

**Also Attending:**

Chief Inspector Angela Carty and Constable Ewan Baillie, Police Scotland.

**DECLARATIONS OF INTEREST**

**1192.** 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**

**1193.** Under reference to the Minute of the meeting of 14 August 2014 (Page 1103, Item 1151 refers), when it was agreed that consideration of the report would be continued to a future meeting to allow the applicant to be legally represented, 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 and his solicitor were present. Chief Inspector Carty and Constable Baillie, representing the Chief Constable who had objected to 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 objection by the Chief Constable.

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

Chief Inspector Carty was heard in respect of the objection submitted by the Chief Constable 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 objection 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 his previous convictions.

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

**1194.** 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 4 refers). The applicant was present. Chief Inspector Carty and Constable Baillie, 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.

Chief Inspector Carty 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.

CHAIR

