

MINUTE
of
LICENSING COMMITTEE

Minute of meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock, on 13 September 2022.

Present:

Councillor Paul Edlin (Chair)
Councillor David Macdonald

Councillor Andrew Morrison

Councillor Edlin in the Chair

Attending:

Jacqui McCusker, Senior Solicitor; Brian Kilpatrick, Civic Government Enforcement Officer; Jennifer Graham, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

Also Attending:

Chief Inspector Graeme Gallie and Sergeant Lisa Campbell, Police Scotland.

Apologies:

Councillor Angela Convery (Vice Chair) and Provost Mary Montague.

HM QUEEN ELIZABETH II

118. Prior to the start of the meeting the committee observed a minute's silence in memory of Her Majesty Queen Elizabeth II.

DECLARATIONS OF INTEREST

119. 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 remaining 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.

PRIVATE HIRE DRIVER'S LICENCE – APPLICATION FOR GRANT

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

The applicant was present.

Chief Inspector Gallie and Sergeant Campbell representing the Chief Constable, who had made a late 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 if it wished to consider the late objection submitted by the Chief Constable and, if so, what weight it wished to attach to the objection and its relevance to the type of licence being applied for.

Following discussion, the committee agreed to consider the late objection and copies were provided for Members.

Sergeant Campbell was heard in respect of the objection submitted by the Chief Constable and in response to questions from Members, in the course of which she advised that one of the matters referred to in the Police letter had been dealt with and was no longer relevant to the application.

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 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 granted for a period of one year, subject to standard terms and conditions.

PRIVATE HIRE DRIVER'S LICENCE – REQUEST FOR SUSPENSION

121. The committee considered a report by the Chief Officer - Legal & Procurement in relation to a request for suspension of a Private Hire Car Driver's Licence under Paragraph 11(2)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982 (Agenda Item 4 refers). The applicant had not been invited to the meeting.

Chief Inspector Gallie and Sergeant Campbell representing the Chief Constable, who had requested the suspension, were present. It was reported that the Chief Constable had requested the suspension on the grounds that the licence holder was no longer a fit and proper person to be the holder of a licence, and requested the immediate suspension of the licence in terms of Paragraph 12(1) of the Schedule on the grounds that the carrying on of the activity to which the licence relates was likely to cause a serious threat to public order or public safety.

The report explained that in determining the application it would be for the committee to decide what weight it wished to attach to the request by the Chief Constable and its relevance to the type of licence held.

Sergeant Campbell was heard in respect of the request for suspension by the Chief Constable 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 request for suspension by the Chief Constable, agreed not to suspend the licence in terms of Paragraphs 11(2)(a) and 12 of Schedule 1 of the Civic Government (Scotland) Act 1982.

CHAIR

