

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

**Minute of meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock, on 11 October 2022.**

**Present:**

Councillor Paul Edlin (Chair)  
Councillor Angela Convery (\*)

Provost Mary Montague  
Councillor Andrew Morrison

Councillor Edlin in the Chair

(\*) indicates remote attendance

**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:**

Inspector Gareth Griffiths, Sergeant James Higgins and Constable Gavin Frew, Police Scotland.

**DECLARATIONS OF INTEREST**

**162.** 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.

**Variation in Order of Business**

In accordance with Standing Order 20, Councillor Edlin agreed to vary the order of business as printed on the agenda in order to facilitate the conduct of the meeting.

### **PRIVATE HIRE DRIVER'S LICENCE – APPLICATION FOR RENEWAL**

**163.** The committee considered a report by the Chief Officer – Legal and Procurement in relation to an application for the renewal of a Private Hire Driver's Licence (Agenda Item 5 refers).

The licensee was present together with his father.

Inspector Griffiths, Sergeant Higgins, and Constable Frew 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.

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

The licensee 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 licensee, his 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 renewed for a period of one year, subject to standard terms and conditions.

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

**164.** 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.

Inspector Griffiths, Sergeant Higgins, and Constable Frew 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 if it wished to consider a request by the Chief Constable to take account of a spent conviction which was "protected" in terms of the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions)(Scotland) 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 take account of the "protected" spent conviction and copies were distributed to Members.

Inspector Griffiths 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 agreed to a short adjournment to consider the matter.

On reconvening, the committee, having taken account of the submission by the applicant, his 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 granted for a period of one year, subject to standard terms and conditions.

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

**165.** 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 4 refers).

The applicant was present.

Inspector Griffiths, Sergeant Higgins, and Constable Frew 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.

Inspector Griffiths was heard in respect of the objection 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 submission by the applicant, his 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 his previous conviction.

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

**166.** The committee considered a report by the Chief Officer – Legal and Procurement in relation to an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 6 refers).

The applicant, having been invited to attend, was not present.

Inspector Griffiths, Sergeant Higgins, and Constable Frew representing the Chief Constable, who had made an out of time representation in respect of the application, were present.

The committee agreed to defer consideration of the application to the next meeting to allow the applicant to make a personal appearance.

