

MINUTE
of
LICENSING COMMITTEE

Minute of meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock, on 6 December 2022.

Present:

Councillor Paul Edlin (Chair)
Councillor David Macdonald (*)

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; John Burke, Committee Services Officer; and Liona Allison, Assistant Committee Services Officer.

Also Attending:

Inspector Gareth Griffiths and Inspector Michelle Grant, Police Scotland.

DECLARATIONS OF INTEREST

250. 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 GRANT

251. 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 and Inspector Grant representing the Chief Constable, who had made an out of time 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 if it wished to consider a request by the Chief Constable to take account of the out of time representation 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 with the applicant, who consented to the consideration of the representation, the committee agreed to take account of the out of time representation and copies were circulated.

Inspector Griffiths was heard in respect of the out of time representation 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, the out of time objection by the Chief Constable and its relevance to the licence being applied for, agreed that the application be granted for a period of one year, subject to standard terms and conditions.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

252. 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 5 refers).

The applicant was present.

Inspector Griffiths and Inspector Grant representing the Chief Constable, who had made an out of time 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 the out of time objection 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 with the applicant, who consented to the consideration of the objection, the committee agreed to take account of the out of time objection and copies were circulated.

Inspector Griffiths was heard in respect of the out of time 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, the out of time objection by the Chief Constable and its relevance to the licence being applied for, 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 DRIVER'S LICENCE – APPLICATION FOR GRANT

253. 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 6 refers).

The applicant was not present, however, the Committee agreed to proceed to make a decision in the applicant's absence.

Inspector Griffiths and Inspector Grant representing the Chief Constable, who had made an out of time 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 if it wished to consider a request by the Chief Constable to take account of the out of time representation and, if so, what weight it wished to attach to the representation and its relevance to the type of licence being applied for.

The committee agreed to take account of the out of time representation and copies were circulated.

Inspector Griffiths was heard in respect of the out of time representation submitted 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 out of time representation by the Chief Constable and its relevance to the licence being applied for, 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..

CHAIR

