

MINUTE
of
LICENSING COMMITTEE

Minute of meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock, on 16 May 2023.

Present:

Councillor Paul Edlin (Chair)
Provost Mary Montague

Councillor David Macdonald (*)
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 Colin Wright, Committee Services Officer

Also Attending:

Chief Inspector Graeme Gallie and Inspector Griffiths, Police Scotland.

Apology:

Councillor Angela Convery (Vice Chair).

DECLARATIONS OF INTEREST

454. There were no declarations of interest intimated.

TAXI FARES REVIEW

455. The Committee considered a report by the Chief Officer – Legal and Procurement to consider the commencement of the taxi fares review process.

The Civic Government (Scotland) Act 1982 (“the Act”) provided that the licensing authority must fix scales for the fares and other charges made in the connection with the hire of a taxi or with the arrangements for its hire and to thereafter review such scales periodically ie every 18 months.

East Renfrewshire currently licenced a total of 38 taxis. Anecdotal evidence received from these operators suggested that the costs of running a taxi had increased significantly during the life of the current scales. It was noted that the scales set maximum fares and charges and

it was always possible for a taxi operator to charge less if the licence holder wanted to. It was further noted that the tariff applied solely to taxis, not private hire cars.

Following discussion, the Committee acknowledged the effect the cost of living crisis was having on the industry and it was further confirmed that these were maximum price increases and drivers may choose not to pass on the full increased cost. After a brief discussion, the Committee agreed:

- (a) to authorise the Chief Officer (Legal and Procurement) to commence consultation on the taxi fare review by inviting the views of taxi operators; and
- (b) to authorise the Chief Officer (Legal and Procurement) to thereafter prepare a report for the Committee's further consideration recommending proposed new scales based on any such representations received.

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.

TAXI DRIVER'S LICENCE – REQUEST FOR SUSPENSION

456. The Committee considered a report by the Chief Officer – Legal and Procurement in relation to a request for suspension of a Taxi Driver's Licence on the grounds that the applicant was no longer a fit and proper person to be the holder of such a licence and that carrying on of the activity to which the licence related was likely to cause threat to public safety in terms of Paragraphs 11(1), 11(2)(a) and 11(2)(c) of Schedule 1 of the Civic Government (Scotland) Act 1982 by virtue of the circumstances outlined in the letter from the Chief Constable. (Agenda Item 4 refers).

The licensee was present along with his wife.

Chief Inspector Gallie and Inspector Griffiths representing the Chief Constable, who had requested the suspension, were also present.

Inspector Griffiths was heard in respect of the request for suspension submitted by the Chief Constable.

The applicant was then heard in respect of the request for suspension.

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 request for suspension by the Chief Constable, agreed not to fully suspend the Licence, but to suspend it for a period of one month and to reinstate the licence after this period.

TAXI OPERATOR'S LICENCE – APPLICATION FOR RENEWAL

457. The Committee considered a report by the Chief Officer – Legal and Procurement in relation to an application for the renewal of a Taxi Operator's Licence. (Agenda Item 5 refers).

The applicant was present along with his wife.

Chief Inspector Gallie and Inspector Griffiths 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 the out of time 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.

The applicant had no objection to the late objection being considered and the Committee agreed to consider the out of time objection. Copies were provided to all Members present.

Inspector Griffiths was heard in respect of the objection submitted by the Chief Constable.

The applicant was then heard in respect of the application.

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 to approve the application for renewal of the taxi operator's licence.

PRIVATE HIRE DRIVER'S LICENCE – APPLICATION FOR GRANT

458. The Committee considered a report by the Chief Officer – Legal and Procurement in relation to an application for the grant of a Taxi Driver's Licence. (Agenda Item 6 refers).

The applicant was not present and the Committee agreed to consider the application in his absence.

Chief Inspector Gallie and Inspector Griffiths representing the Chief Constable, who had made an out of time objection in respect of the application, were also present.

Inspector Griffiths was heard in respect of the objection submitted by the Chief Constable.

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 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.

