

MINUTE
of
LICENSING COMMITTEE

Minute of meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock, on 12 March 2024.

Present:

Councillor Paul Edlin (Chair)
Provost Mary Montague*

Councillor David Macdonald*

Councillor Edlin in the Chair

(* indicates remote attendance)

Attending:

Nicola McEleny, Solicitor; Jillian McGrain, Senior Officer (Private Sector); Michelle McCarroll, Lead Officer (Tenant and Customer); Brian Kilpatrick, Civic Government Enforcement Officer; Jennifer Graham, Democratic Services Officer; and Lesleyann Burns, Assistant Democratic Services Officer.

Also Attending:

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

Apology:

Councillor Andrew Morrison.

DECLARATIONS OF INTEREST

779. 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.

SHORT TERM LET APPLICATION

780. The committee considered a report by the Director of Environment regarding an application for a Short Term Let Licence under the terms of the Civic Government (Scotland) act 1982 (Licensing of Short-term Lets) Order 2022 (agenda item 3 refers).

The applicant was present.

The objectors, having been invited to the meeting, were not present.

The applicant was heard in respect of the application and in response to questions.

The Committee agreed to a short adjournment to consider the matter.

On reconvening, the Committee, having taken account of the objections received and the information provided by the applicant, agreed that the application for a Short Term Let licence be granted.

PRIVATE HIRE CAR OPERATOR'S LICENCE (APPLICATION FOR GRANT) AND PRIVATE HIRE CAR DRIVER'S LICENCE (APPLICATION FOR RENEWAL)

781. Under reference to the minute of the Meeting of 13 February 2024 (Page 749, item 731 refers), when the committee agreed to continue consideration of the application to allow for a person appearance, 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 Operator's Licence and the renewal of a Private Hire Car Driver's Licence (agenda item 4 refers).

The applicant, have been invited to the meeting, was not present.

Chief Inspector Gallie and Sergeant Brown, representing the Chief Constable, who had made an out of time objection to the application, were present.

In the applicant's absence, the committee agreed to hear the out of time objection by the Chief Constable.

Sergeant Brown was heard in respect of the objection submitted by the Chief Constable and in response to questions from members.

The Committee, having taken account of the objection by the Chief Constable, agreed that the applications be refused on the grounds that the applicant was not a fit and proper person to be the holder of such licences.

PRIVATE HIRE CAR DRIVER'S AND OPERATOR'S LICENCES – REQUEST FOR SUSPENSION

782. 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 and a Private Hire Car Operator's Licence under Paragraph 11(1) of Schedule 1 of the Civic Government (Scotland) Act 1982 (Agenda Item 5 refers).

The applicant was present.

Chief Inspector Gallie and Sergeant Brown 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 these licences, and requested suspension of the licences in terms of Paragraphs 11(2)(a) and 11(2)(c) of the Schedule on the grounds that the carrying on of the activity to which the licences related was likely to cause a threat to 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 types of licence held.

The Committee agreed to a short adjournment to consider the matter.

Following discussion, the committee agreed not to suspend the licences.

CHAIR

