

MINUTE
of
LICENSING COMMITTEE

Minute of meeting held at 10.00am in the Council Chamber, Council Headquarters, Giffnock, on 14 May 2024.

Present:

Councillor Paul Edlin (Chair)	Councillor David Macdonald*
Councillor Angela Convery (Vice Chair)	Councillor Andrew Morrison*
Provost Mary Montague	

Councillor Edlin in the Chair

(*) indicates remote attendance

Attending:

Gerry Mahon, Chief Officer (Legal and Procurement); Brian Kilpatrick, Civic Government Enforcement Officer; John Burke, Democratic Services Officer and Victoria Harkness, Democratic Services Officer.

Also Attending:

Chief Inspector Graeme Gallie and Inspector Gareth Griffiths, Police Scotland.

DECLARATIONS OF INTEREST

846. There were no declarations of interest intimated.

WHEELCHAIR ACCESSIBLE VEHICLE POLICY

The committee considered a report by the Chief Officer (Legal & Procurement) in relation to proposed changes to the Council's Wheelchair Accessible Vehicle Policy (agenda item 3 refers).

Having heard the Chief Officer on the report, the Committee agreed:-

- (a) to note the proposals made; and
- (b) that a special meeting of the committee be arranged by the Clerk to which relevant stakeholders would be invited to discuss said proposals.

REQUEST FOR IMMEDIATE SUSPENSION OF PRIVATE HIRE CAR DRIVER'S LICENCE AND PRIVATE HIRE CAR OPERATOR'S LICENCE

847. The committee considered a report by the Chief Officer (Legal & Procurement) in relation to a request for immediate 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 4 refers).

The licensee was present.

Chief Inspector Gallie and Inspector Griffiths representing the Chief Superintendent were also present. It was reported that the Chief Superintendent had requested the suspensions on the grounds that the licence holder was not a fit and proper person to be the holder of these licences, and that the carrying on of the activity to which the licences related was likely to cause a serious threat to public order or public safety. It was noted that the circumstances giving rise to this request were currently the subject of criminal proceedings. It was also noted that the licence holder had physically surrendered his licences pending conclusion of criminal proceedings.

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

On reconvening, the Committee agreed to suspend both licences in terms of Paragraph 11(1) of Schedule 1 of the Civic Government (Scotland) Act 1982.

PRIVATE HIRE CAR OPERATOR'S LICENCE – APPLICATION FOR RENEWAL

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

The licensee was present, accompanied by a friend who acted as an interpreter.

Chief Inspector Gallie and Inspector Griffiths representing the Chief Constable, who had made an out of time objection to 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.

Having heard the applicant agree that the out of time objection could be considered, the Committee agreed to consider the out of time objection and copies were circulated.

Chief Inspector Gallie was heard in respect of the objection submitted by the Chief Superintendent.

The applicant (via his interpreter) was then heard in respect of the application for renewal.

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 objection by the Chief Constable, agreed that the application for renewal be refused on the grounds that the licensee was no longer 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 RENEWAL

849. 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.

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

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

