

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

**Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock, on 18 February 2020.**

**Present:**

Councillor Angela Convery (Chair)  
Councillor Charlie Gilbert

Councillor Alan Lafferty  
Councillor Stewart Miller

Councillor Convery in the Chair

**Attending:**

Jacqui McCusker, Senior Solicitor; Brian Kilpatrick, Civic Government Enforcement Officer; and Jennifer Graham, Committee Services Officer.

**Also Attending:**

Chief Inspector Bryan McGeoch and Sergeant Lisa Miller, Police Scotland.

**Apology:**

Councillor Betty Cunningham (Vice Chair).

**DECLARATIONS OF INTEREST**

**1193.** 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 undernoted 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.

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

**1194.** The committee considered a report by the Chief Officer - Legal and Procurement in relation to a request from the Chief Constable for the suspension, in terms of Paragraph

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11(1) of Schedule 1 of the Civic Government (Scotland) Act 1982, of a Private Hire Car Driver's Licence and a Private Hire Car Operator's Licence on the grounds that the licence holder was no longer a fit and proper person to be the holder of such licences by virtue of the circumstances outlined in the letter from the Chief Constable (Agenda Item 3 refers).

The licence holder was present.

Chief Inspector McGeoch and Sergeant Miller, representing the Chief Constable who had made the request, were also present.

Chief Inspector McGeoch and Sergeant Miller were heard in respect of the request submitted by the Chief Constable and in response to questions from Members.

The licence holder was then heard in respect of the request and in response to questions from Members.

Having fully discussed the circumstances, the committee agreed that the licences should not be suspended pending the outcome of ongoing legal proceedings.

#### **TAXI DRIVER'S LICENCE – REQUEST FOR SUSPENSION**

**1195.** The committee considered a report by the Chief Officer - Legal and Procurement in relation to a request from the Chief Constable for the suspension, in terms of Paragraph 11(1) of Schedule 1 of the Civic Government (Scotland) Act 1982, of a Taxi Driver's Licence on the grounds that the licence holder was no longer a fit and proper person to be the holder of such a licence by virtue of the circumstances outlined in the letter from the Chief Constable (Agenda Item 4 refers).

The licence holder was present.

Chief Inspector McGeoch and Sergeant Miller, representing the Chief Constable who had made the request, were also present.

Sergeant Miller was heard in respect of the request submitted by the Chief Constable and in response to questions from Members.

The licence holder was then heard in respect of the request and in response to questions from Members.

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

On reconvening, the committee, having fully discussed the circumstances, agreed that the licence should not be suspended pending the outcome of ongoing legal proceedings.

#### **PRIVATE HIRE CAR DRIVER'S/OPERATOR'S LICENCES – REQUEST FOR SUSPENSION**

**1196.** The committee considered a report by the Chief Officer - Legal and Procurement in relation to a request from the Chief Constable for the suspension, in terms of Paragraph 11(1) of Schedule 1 of the Civic Government (Scotland) Act 1982, of a Private Hire Car Driver's Licence and a Private Hire Car Operator's Licence on the grounds that the licence holder was no longer a fit and proper person to be the holder of such licences by virtue of the circumstances outlined in the letter from the Chief Constable (Agenda Item 5 refers).

The licence holder, having been invited to attend, was not present.

Chief Inspector McGeoch and Sergeant Miller, representing the Chief Constable who had made the request, were present.

Having fully discussed the circumstances, the committee agreed that the licences be suspended in terms of Paragraph 11(1) of Schedule 1 of the Civic Government (Scotland) Act 1982.

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

**1197.** 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 was present accompanied by his Solicitor, Mr Scullion.

Chief Inspector McGeoch and Sergeant Miller representing the Chief Constable, who had lodged 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 and its relevance to the type of licence being applied for.

Sergeant Miller was heard in respect of the objection by the Chief Constable and in response to questions from Members.

Mr Scullion 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 applicant's previous conviction, its seriousness and relevance to the licence being applied for, and the objection by the Chief Constable, agreed that the application be refused.

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

**1198.** 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 7 refers).

The applicant was present.

Chief Inspector McGeoch and Sergeant Miller 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.

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

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

The committee, having taken account of the representation by the Chief Constable, agreed that the application be refused.

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

**1199.** 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 8 refers).

The applicant was present.

Chief Inspector McGeoch and Sergeant Miller 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.

Sergeant Miller was heard in respect of the 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 applicant's previous conviction, its seriousness and relevance to the licence being applied for, and the representation by the Chief Constable, agreed that the application be refused.

#### **PRIVATE HIRE CAR DRIVER'S LICENCE – REQUEST FOR SUSPENSION**

**1200.** The committee considered a report by the Chief Officer - Legal and Procurement in relation to a request from the Civic Government Enforcement Officer for the suspension of a Private Hire Car Driver's Licence on the grounds that the licence holder was no longer a fit and proper person to be the holder of such licences by virtue of the circumstances outlined in the report (Agenda Item 9 refers).

The Senior Solicitor reported that a letter had been received from the licence holder's solicitor seeking a continuation to allow him to make further enquiries in relation to the available evidence.

Following consideration, the committee agreed that the request for suspension be continued to the next meeting.

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

**1201.** Under reference to the Minute of the meeting of 21 January 2020 (page 1065, Item 1154 refers) when it had been agreed to defer consideration of the application to enable the

applicant to make a personal 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 Driver's Licence (Agenda Item 10 refers).

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

Chief Inspector McGeoch and Sergeant Miller representing the Chief Constable, who had lodged 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 and its relevance to the type of licence being applied for.

The committee, having taken account of the applicant's previous conviction, its relevance to the licence being applied for and the objection by the Chief Constable, agreed that the application be refused.

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

**1202.** Under reference to the Minute of the meeting of 21 January 2020 (page 1066, Item 1157 refers) when it had been agreed to defer consideration of the application to enable the applicant to make a personal 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 Driver's Licence (Agenda Item 11 refers).

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

Chief Inspector McGeoch and Sergeant Miller representing the Chief Constable, who had lodged 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 and its relevance to the type of licence being applied for.

The committee, having taken account of the applicant's previous conviction, its relevance to the licence being applied for and the objection by the Chief Constable, agreed that the application be refused.

CHAIR

