

MINUTE
of
LICENSING COMMITTEE

Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock, on 20 February 2018.

Present:

Councillor Angela Convery (Chair)
Councillor Alan Lafferty

Councillor Stewart Miller

Councillor Convery in the Chair

Attending:

Jacqui McCusker, Senior Solicitor; Liz Currie, Supported Housing Services and Private Sector Manager and Jillian McGrain, Principal Housing Officer (Private Sector) (Item 309 only); Brian Kilpatrick, Civic Government Enforcement Officer (Item 311 only); and Jennifer Graham, Committee Services Officer.

Also Attending:

Sergeant Scott Brown and Constable Lesley-Ann Stevenson, Police Scotland (Item 310 only).

Apologies:

Councillors Betty Cunningham and David Macdonald.

DECLARATIONS OF INTEREST

308. 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 following items 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 LANDLORD REGISTRATION

309. The committee considered a report by the Director of Environment regarding an application for inclusion on the Register of Social Landlords under the terms of the Antisocial Behaviour etc. (Scotland) Act 2004, as amended (Agenda Item 3 refers). The applicant was present. The Supported Housing Services/Private Sector Manager and the Principal Housing Officer (Private Sector) were also present.

The Principal Housing Officer (Private Sector) was heard in respect of the application and in response to questions from members.

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

Following a brief discussion the committee agreed that the application for inclusion on the Register of Private Landlords be approved.

Variation in Order of Business

In accordance with Standing Order 19, Councillor Convery agreed to vary the order of business as printed on the agenda in order to facilitate the conduct of the meeting.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

310. The committee considered a report by the Chief Officer - Legal & Procurement regarding an application for the grant of a Private Hire Car Driver's Licence (Agenda Item 5 refers). The applicant was present together with his friend. Sergeant Brown and Constable Stevenson representing the Chief Constable, who had made 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 Brown was heard in respect of the 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 having taken account of the submission by the applicant, 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 be granted for a period of one year subject to standard conditions.

PRIVATE HIRE CAR DRIVER'S LICENCE – REQUEST FOR SUSPENSION

311. Under the Minute of the meeting held on 23 January 2018 (Page 253, Item 285 refers), when it was agreed to defer consideration of a request for suspension under Paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act (The Act) to allow

further information to be provided by the complainant and Police Scotland, the committee considered a report by the Chief Officer - Legal & Procurement requesting suspension of a Private Hire Car Driver's Licence under Paragraph 11 of Schedule 1 of the Act (Agenda Item 4 refers). The licensee was present. The complainant, who had been invited to the meeting, was not present.

It was reported that the licence had previously been suspended on 3 January 2018 in terms of Paragraph 12 of Schedule 1 of the Act, in the interests of public safety. However, this suspension was subsequently lifted, following discussion with members of the Licensing Committee, as no further information had been received from the Police Scotland and the complainant had indicated that she did not want to provide a statement.

After the suspension was lifted, a statement by the complainant was received leading to the submission of the report before the committee requesting consideration of a suspension of the licence under Paragraph 11 of Schedule 1 of the Act. The Civic Government Enforcement Officer was heard further regarding the report.

The applicant advised that he had no further information to add and responded to questions from Members.

The committee agreed that the Private Hire Car Driver's Licence should not be suspended under Paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982.

CHAIR

