

MINUTE
of
LICENSING COMMITTEE

Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock, on 20 June 2017.

Present:

Councillor Angela Convery (Chair)
Councillor Alan Lafferty

Councillor David Macdonald
Councillor Stewart Miller

Councillor Convery in the Chair

Attending:

Jacqui McCusker, Senior Solicitor; and Ron Leitch, Committee Services Officer.

Also Attending:

Chief Inspector Angela Carty, Inspector Susan Gillen and Sergeant Marie Stewart, Police Scotland.

Apology:

Councillor Betty Cunningham (Vice Chair).

DECLARATIONS OF INTEREST

17. 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 Items 18-20 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 LICENCE – APPLICATION FOR RENEWAL

18. The committee considered a report by the Chief Officer (Legal & Procurement) regarding an application for the renewal of a Private Hire Car Driver's Licence (Agenda Item 3 refers). The applicant was present. Chief Inspector Carty, Inspector Gillen and Sergeant Stewart representing the Chief Constable who had made an objection in respect of the application, were also present.

The report explained that in terms of the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Order 2003, applicants for Taxi and Private Hire Car Driver's Licences were required to disclose all previous convictions, both "spent" and "live". Details of the applicant's previous convictions were listed.

The report further explained that in determining the application it would be for the committee to decide what weight it wished to attach to the applicant's previous convictions, taking account of the period of time since the commission of the offences, their relevance to the type of licence being applied for, and also the objection by the Chief Constable.

Inspector Gillen 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, following which 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 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.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

19. 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 4 refers). The applicant, having been invited to attend, was not present. Chief Inspector Carty, Inspector Gillen and Sergeant Stewart, representing the Chief Constable who had made an objection in respect of the application, were present.

The committee agreed to defer consideration of the application to the next meeting to allow the applicant to make a personal appearance. Should the applicant again fail to appear the committee would proceed to determine the application in his absence.

PRIVATE HIRE CAR OPERATOR'S LICENCE – APPLICATION FOR GRANT

20. The committee considered a report by the Chief Officer (Legal & Procurement) regarding an application for the grant of a Taxi Operator's Licence (Agenda Item 5 refers). The applicant, having been invited to attend, was not present. Chief Inspector Carty, Inspector Gillen and Sergeant Stewart, representing the Chief Constable who had made an objection in respect of the application, were present.

The committee agreed to defer consideration of the application to the next meeting to allow the applicant to make a personal appearance. Should the applicant again fail to appear the committee would proceed to determine the application in his absence.

The meeting was opened to the press and public at this point.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – SECTION 9 RESOLUTION UPDATE – PUBLIC ENTERTAINMENT LICENCES

21. The committee considered a report by the Chief Officer (Legal & Procurement) seeking authority for officers to review the categories of premises or types of events which require a Public Entertainment Licence and to bring a report outlining a range of options to a future meeting of the committee for consideration.

Having heard the senior solicitor explain the background to the report and following brief discussion, the committee agreed to:-

- (a) authorise the Chief Officer (Legal & Procurement) to review the categories of premises or types of events which require a Public Entertainment Licence; and
- (b) submit a further report to the committee in due course setting out a range of options for consideration.

CHAIR

