

MINUTE
of
LICENSING COMMITTEE

Minute of Meeting held at 2.00pm in the Council Chamber, Council Headquarters, Eastwood Park, Giffnock, on 15 March 2016.

Present:

Councillor Tommy Reilly (Chair)	Councillor Charlie Gilbert
Councillor Kenny Hay (Vice Chair)	Councillor Stewart Miller
Councillor Betty Cunningham	

Councillor Reilly in the Chair

Attending:

Jacqui McCusker, Senior Solicitor, and Eamonn Daly, Democratic services Manager.

Also Attending:

Inspectors Alan Dickson and Susan Gillen, Police Scotland.

DECLARATIONS OF INTEREST

1947. 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 HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

1948. 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 3 refers). The applicant was present. Inspectors Dickson and Gillen 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 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.

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

Thereafter 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 licence be refused on the grounds that the applicant was not considered to be a fit and proper person by virtue of his previous convictions.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

1949. 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 was present. Inspectors Dickson and Gillen 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 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.

Thereafter, 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 licence be granted for a period of 1 year subject to standard terms and conditions.

PRIVATE HIRE CAR DRIVER'S LICENCE – APPLICATION FOR GRANT

1950. 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 6 refers). The applicant was present. Inspectors Dickson and Gillen 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 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.

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 licence be granted for a period of 1 year subject to standard terms and conditions.

TAXI DRIVER'S LICENCE – APPLICATION FOR GRANT

1951. The committee considered a report by the Chief Officer (Legal & Procurement) regarding an application for the grant of a Taxi Driver's Licence (Agenda Item 5 refers). The applicant was present. Inspectors Dickson and Gillen 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 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.

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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 licence be granted for a period of 1 year subject to standard terms and conditions.

CHAIR