

# Agenda



## Special Meeting of Licensing Committee

**Date:** Wednesday, 2 August 2017

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**Time:** 2:00

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**Venue:** Committee Room 2, Council Offices, Garshake Road, Dumbarton

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**Contact:** Nuala Borthwick, Committee Officer  
Tel: 01389 737594 [nuala.borthwick@west-dunbarton.gov.uk](mailto:nuala.borthwick@west-dunbarton.gov.uk)

Dear Member

Please attend a special meeting of the **Licensing Committee** as detailed above. The business is shown on the attached agenda.

Yours faithfully

**JOYCE WHITE**

Chief Executive

**Distribution:**

Councillor Jim Finn (Chair)  
Councillor Jonathan McColl (Vice Chair)  
Councillor Jim Brown  
Councillor Ian Dickson  
Councillor Marie McNair  
Councillor John Mooney  
Councillor Lawrence O'Neill  
Councillor Brian Walker

All other Councillors for information

Chief Executive  
Strategic Director – Regeneration, Environment and Growth  
Strategic Director – Transformation and Public Service Reform  
Chief Officer of Health & Social Care Partnership

Date issued: 20 July 2017

**LICENSING COMMITTEE**

**WEDNESDAY, 2 AUGUST 2017**

**AGENDA**

**1 APOLOGIES**

**2 DECLARATIONS OF INTEREST**

Members are invited to declare if they have an interest in any of the undernoted items of business on this agenda and, if so, state the reasons for such declarations.

**3 CONTINUED APPLICATION FOR RENEWAL OF A TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE**

**Name and Address of Applicant**

**Date Applied**

Garry Cosgrove  
Flat 2/2, 17 Burns Street  
Clydebank  
G81 4BW

5 February 2017

Submit report by the Strategic Lead – Regulatory concerning an application for Renewal of a Taxi/Private Hire Car Driver's Licence by the above named person.

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**WEST DUNBARTONSHIRE COUNCIL**  
**Report by Strategic Lead – Regulatory**  
**Licensing Committee – 2 August 2017**

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**Subject: Application for renewal of Taxi/Private Hire Car Driver's Licence**

**1. Purpose**

- 1.1** To consider an application for renewal of a Taxi/Private Hire Car Driver's Licence submitted by Mr. Garry Cosgrove, c/o Flat 2/2, 17 Burns Street, Clydebank, G81 4BW.

**2. Recommendations**

- 2.1** It is recommended that the application be considered and determined by the Committee.

**3. Background**

- 3.1** Mr. Cosgrove submitted an application for renewal of a Taxi/Private Hire Car Driver's Licence to the Council on 5 February 2017. A letter was received from the Chief Constable of the Police authority on 18 April 2017 submitting an objection in relation to the application.
- 3.2** Mr. Cosgrove attended a meeting of the Licensing Committee on 22 June 2016 having been the subject of a suspension request submitted by the Police. At the meeting, Members decided that Mr. Cosgrove was no longer a fit and proper person to hold a Taxi Driver's Licence and suspended the licence for the unexpired portion that being 8 January 2017.
- 3.3** Mr. Cosgrove submitted an appeal to the Sheriff Court however, as the matter was continued at court until after the expiry date of the licence, the appeal was subsequently dismissed.
- 3.4** As the suspension imposed by the Licensing Committee was for the unexpired portion of the licence, Mr. Cosgrove had his licence returned to him on the date that he submitted the application for renewal on 6 February 2017.
- 3.5** At the meeting on 14 June 2017, it was noted that the applicant had advised in advance that he would not be present. It was agreed that consideration of the application be continued to a special meeting in order that the applicant may be given a further opportunity to appear before the Committee.

**4. Main Issues**

- 4.1** In view of the submission received from the Police, the applicant and a representative of the Police authority have been invited to attend the meeting of

the Committee to be held on 2 August 2017.

**4.2** In terms of the relevant legislation, an objection with respect to an application should be submitted within 28 days of receipt of the application. As Mr. Cosgrove's application was received on 6 February 2017, any objection should have been submitted by 5 March 2017. There is, however, provision in the legislation for the Licensing Authority to entertain a late objection which has been received before a final decision has been made if the Licensing Authority is satisfied that there is sufficient reason why the objection had not been made in the time required.

**4.3** The terms of the letter from the Police will be made known to the Committee at the meeting as appropriate.

## **5. People Implications**

**5.1** There are no personnel issues.

## **6. Financial Implications**

**6.1** There are no financial implications

## **7. Risk Analysis**

**7.1** There is no increased risk to the Council associated with the contents of this report.

## **8. Equalities Impact Assessment (EIA)**

**8.1** No impact assessment is required because this report does not involve any change to policies or services or financial decisions.

## **9. Consultation**

**9.1** Police Scotland were consulted in relation to the application.

## **10. Strategic Assessment**

**10.1** In terms of the Council's Strategic Priorities, the purpose of licensing is to protect the welfare of the community, including vulnerable people.

Strategic Lead - Regulatory

Date 30 June 2017

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**Person to Contact:** Robert Mackie,  
Senior Officer (Licensing Services),

Licensing Team,  
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Dumbarton,  
G82 3PU.

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**Appendices:** N/A.

**Background Papers:**

1. Application for renewal of Taxi/Private Hire Car Driver's Licence from Mr. Garry Cosgrove, c/o Flat 2/2, 17 Burns Street, Clydebank, G81 4BW.
2. Letter dated 15 February 2017 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton.
3. Letter to Mr. Cosgrove dated 14 July 2017.
4. Email to Chief Constable dated 14 July 2017.

**Wards Affected:** N/A.