

LICENSING COMMITTEE

At a Meeting of the Licensing Committee held in the Civic Space, 16 Church Street, Dumbarton on Wednesday, 14 June 2023 at 2.03 p.m.

Present: Councillors Ian Dickson, Gurpreet Singh Johal, James McElhill, June McKay, Lawrence O'Neill, Chris Pollock and Hazel Sorrell.

Attending: Michael McDougall, Section Head – Licensing; Bob Mackie, Senior Licensing Officer; Peter Clyde, Licensing Standards Officer and Lynn Straker, Committee Officer.

Also Attending: Sergeant David Holmes, Police Scotland; Mr Campbell, Solicitor and Representative for Licence Holder Mr Shafiqullah Khalil, Aladdins Hot4U; Mr Ian Thomson; Mr Gerard Farrell; Mr Ryan Martin and Mr Stuart Reid

Apologies: Apologies for absence were intimated on behalf of Councillor John Millar.

Councillor Lawrence O'Neill in Chair

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

MINUTES OF PREVIOUS MEETING

The Minutes of Meetings of the Licensing Committee held on 19 April 2023 and 4 May 2023 (Special) were submitted and approved as a correct record.

OPEN FORUM

The Committee noted that no open forum questions had been submitted by members of the public.

HEARING REGARDING POSSIBLE SUSPENSION OR REVOCATION OF A LATE HOURS CATERING LICENCE

A report was submitted by Mr Alan Douglas, Chief Officer – Regulatory and Regeneration asking Members to consider a request from the Chief Constable of Police Scotland for the suspension of a Late Hours Catering Licence held by Mr. Shafiqullah Khalil for the premises, Aladdin Hot For You located at 6 High Street, Dumbarton, G82 1LL. Members were advised they also had the option to revoke the Licence.

Having heard from Mr Michael McDougall, Section Head – Licensing, and in answer to Members' questions, the Committee then heard from Sergeant Holmes, Police Scotland who detailed the concerns regarding the Licence holder as detailed in the letter from the Chief Executive, Police Scotland.

Members then invited Mr Campbell, Solicitor and Representative for Licence holder Mr. Shafiqullah Khalil to explain the circumstances of the current concerns regarding Mr. Shafiqullah Khalil as holder of the Late Hours Catering Licence for Aladdins Hot 4U.

Mr Campbell asked Members to allow more time for the relevant evidence; documents and interviews with staff etc. to be collected together so it can be presented back to Members as evidence of the concerns not being founded.

After further discussion, and in answer to Members questions, Members agreed to a continuation of the hearing to the next meeting of the Licensing Committee on 2 August 2023.

DECIDED

Members agreed to a continuation of the hearing to the next meeting of the Licensing Committee on 2 August 2023.

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

A report was submitted by Mr Alan Douglas, Chief Officer – Regulatory and Regeneration asking Members to consider an application for renewal of a Taxi/Private Hire Car Driver's Licence submitted by Mr. Ian Thomson, Flat 1/1, 711 Dumbarton Road, Clydebank, G81 4HP.

Having heard from Mr Michael McDougall, Section Head – Licensing and in answer to Members' questions, Members then heard from Sergeant Holmes, Police Scotland who explained the conviction as detailed in the letter from the Chief Inspector, Police Scotland.

Members then heard from Mr Ian Thomson who explained the circumstances of the conviction and why he felt he was still a fit and proper person to hold his Taxi Driver's Licence.

After further discussion and in answer to Members questions, Members agreed to renew Mr Thomson's Licence for 1 year on the understanding there are no further convictions or the Licence will be reviewed again.

DECIDED

Members agreed to renew Mr Thomson's Licence for 1 year on the understanding there are no further convictions or the Licence will be reviewed again.

APPLICATION FOR GRANT OF A TAXI / PRIVATE HIRE CAR DRIVER'S LICENCE

A report was submitted by Alan Douglas, Chief Officer – Regulatory and Regeneration asking Members to consider an application for grant of a Taxi/Private Hire Car Driver's Licence submitted by Mr. Gerard Farrell, Flat 1/2, 43 Broomknowes Road, Glasgow G21 4YP.

Having heard from Mr Michael McDougall, Section Head – Licensing and in answer to Members' questions, Members then heard from Sergeant Holmes, Police Scotland who explained the convictions as detailed in the letter from the Chief Inspector, Police Scotland.

Members then agreed to see a further letter from the Chief Inspector, Police Scotland, providing details of protected convictions held by Mr Gerard Farrell. The protected convictions detailed in the second letter were explained by Sergeant Holmes, Police Scotland.

Members then heard from Mr Gerard Farrell who explained the circumstances of each of the convictions and why he felt he was a fit and proper person to hold a Taxi Driver's Licence.

After further discussion and in answer to Members questions, Members agreed to renew Mr Farrell's Licence for 1 year on the understanding there are no further convictions or the Licence will be reviewed again.

DECIDED

Members agreed to grant Mr Farrell's Licence for 1 year on the understanding there are no further convictions or the Licence will be reviewed again.

APPLICATION FOR GRANT OF A TAXI / PRIVATE HIRE CAR DRIVER'S LICENCE

A report was submitted by Alan Douglas, Chief Officer – Regulatory and Regeneration asking Members to consider an application for grant of a Taxi/Private

Hire Car Driver's Licence submitted by Mr. Ryan Martin, Flat G/2, 18 Alsatian Avenue, Drumry, Clydebank, G81 2NF.

Having heard from Mr Michael McDougall, Section Head – Licensing and in answer to Members' questions, Members then heard from Sergeant Holmes, Police Scotland who explained the convictions as detailed in the letter from the Chief Inspector, Police Scotland.

Members then agreed to see a further letter from the Chief Inspector, Police Scotland, providing details of protected convictions held by Mr Martin. The protected convictions detailed in the second letter were explained by Sergeant Holmes, Police Scotland.

Members then heard from Mr Martin who explained the circumstances of each of his convictions and why he felt he was a fit and proper person to hold a Taxi Driver's Licence.

After further discussion and in answer to Members questions, Members agreed to grant Mr Martin's Licence for 1 year on the understanding there are no further convictions or the Licence will be reviewed again.

DECIDED

Members agreed to grant Mr Martin's Licence for 1 year on the understanding there are no further convictions or the Licence will be reviewed again.

APPLICATION FOR GRANT OF A TAXI / PRIVATE HIRE CAR DRIVER'S LICENCE

A report was submitted by Mr Alan Douglas, Chief Officer – Regulatory and Regeneration asking Members to consider an application for grant of a Taxi/Private Hire Car Driver's Licence submitted by Mr. Stuart Reid, 18 Fraser Street, Cambuslang, Glasgow G72 7AR.

Having heard from Mr Michael McDougall, Section Head – Licensing and in answer to Members' questions, Members then heard from Sergeant Holmes, Police Scotland who explained the convictions as detailed in the letter from the Chief Inspector, Police Scotland.

Members then agreed to see a further letter from the Chief Inspector, Police Scotland, providing details of protected convictions held by Mr Reid. The protected convictions detailed in the second letter were explained by Sergeant Holmes, Police Scotland.

Members then heard from Mr Reid who explained the circumstances of each of his convictions and why he felt he was a fit and proper person to hold a Taxi Driver's Licence.

After further discussion and in answer to Members questions, Members agreed to grant Mr Reid's Licence for 1 year on the understanding there are no further convictions or the Licence will be reviewed again.

DECIDED

Members agreed to grant Mr Reid's Licence for 1 year on the understanding there are no further convictions or the Licence will be reviewed again.

EXCLUSION OF PRESS AND PUBLIC

The Committee agreed to approve the following Resolution:-

"That under Section 50A(4) of the Local Government (Scotland) Act, 1973 the press and public be excluded from the meeting for the following item of business on the grounds that it may involve the likely disclosure of exempt information as defined in Paragraph 14 of Part 1 of Schedule 7A of the Act."

APPLICATION FOR GRANT OF A TAXI / PRIVATE HIRE CAR DRIVER'S LICENCE

A report was submitted by Mr Alan Douglas, Chief Officer – Regulatory and Regeneration asking Members to consider an application for grant of a Taxi/Private Hire Car Driver's Licence submitted by Mr. Robert Young, 129 Melbourne Avenue, Clydebank G81 4QB.

Members heard from Mr Michael McDougall, Section Head – Licensing who noted this was the third continuation of this hearing and one of the charges against Mr Young was still sub-judice with a court date of August 2023. The Section Head – Licensing advised Members the hearing could no longer be continued to a future meeting of the Licensing Committee, and a decision must be made at the current Licensing Committee meeting on the grant of Mr Young's Licence.

Mr Young had been formally invited to attend the hearing but was not in attendance. After further discussion, and in answer to Members questions, Members agreed to revoke Mr Young's Licence on the basis they felt he was not a fit and proper person to hold a Licence in West Dunbartonshire.

DECIDED

Members agreed to revoke Mr Young's Licence on the basis that they felt he was not a fit and proper person to hold a Licence in West Dunbartonshire.

APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE

A report was submitted by Mr Alan Douglas, Chief Officer – Regulatory and Regeneration asking Members to consider an application for grant of a Window Cleaner's Licence submitted by Mr. Ross McGowan, 9 Cherry Crescent, Clydebank, G81 3JA.

Mr McGowan had been formally invited to attend the hearing but was not in attendance.

Having heard from Mr Michael McDougall, Section Head – Licensing and in answer to Members' questions, Members then heard from Sergeant Holmes, Police Scotland who explained the convictions as detailed in the first letter from the Chief Inspector, Police Scotland.

Members then agreed to see a further 2 letters from the Chief Inspector, Police Scotland, providing details of protected convictions held by Mr McGowan. The protected convictions detailed in the second letter were explained by Sergeant Holmes, Police Scotland.

After further discussion, and in answer to Members questions, Members agreed to continue the hearing to the next meeting of the Licensing Committee on 2 August 2023 to allow them to question the applicant Mr McGowan regarding his convictions to determine if he was a fit and proper person to hold a Licence in West Dunbartonshire.

DECIDED

Members agreed to continue the hearing to the next meeting of the Licensing Committee on 2 August 2023 to allow them to question the applicant regarding his convictions to determine if he was a fit and proper person to hold a Licence in West Dunbartonshire.

The meeting closed at 3.44 p.m.