

LICENSING COMMITTEE

At a Meeting of the Licensing Committee held in Committee Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday, 15 February 2017 at 10.00 a.m.

Present: Councillors Jim Finn, Jonathan McColl*, John Mooney and Lawrence O'Neill.

*Arrived later in the meeting.

Attending: Raymond Lynch, Section Head (Licensing); Robert Mackie, Senior Officer (Licensing Services); Lawrence Knighton, Licensing Standards Officer and Nuala Borthwick, Committee Officer.

Apologies: Apologies for absence were intimated on behalf of Provost McAllister and Councillors Jim Brown, Tommy Rainey and Hazel Sorrell.

Councillor Lawrence O'Neill in the Chair

CHAIR'S REMARKS

The Chair, Councillor O'Neill advised that the item of business entitled, 'Continued Application for Grant of a Taxi Licence' submitted by Mr Andrew Park had been withdrawn by the applicant. He also advised that the item of business entitled, 'Hearing regarding possible suspension or revocation of Taxi Driver's/Private Hire Car Driver's Licence' relating to Mr Biju Thomas would be continued to a Special Meeting of the Licensing Committee being held on 1 March 2017.

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 Meeting of the Licensing Committee held on 7 December 2016 were submitted and approved as a correct record.

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

Name and Address of Applicant

Date Applied

Andrew Park
3 Braehead
Bonhill
Alexandria
G83 9NA

10 October 2016

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

Having heard the Section Head (Licensing), it was noted that the application had been withdrawn by the applicant.

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

(a) Name and Address of Applicant

Date Applied

Caroline Buchanan
23 Cordale Avenue
Renton
G82 4QF

10 October 2016

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

Having heard the Section Head (Licensing), it was noted:-

- (a) that a letter had been received by the Chief Superintendent of the Police authority advising that the Chief Constable had a representation to make in relation to the application;
- (b) that in view of the representation, the applicant and a representative of the Police authority had been invited to attend the meeting of the Committee in order that a hearing could take place;
- (c) that the applicant, Ms Buchanan, and representatives of the Police authority, Sergeant Angela Walker and Constable Alison Simpson, were in attendance; and
- (d) that copies of the letter of representation from the Police authority dated 21 December 2016, had been issued to Members of the Committee in advance of the meeting.

The Committee then heard from Sergeant Walker in relation to the letter of representation from Police Scotland. Thereafter, Ms Buchanan was given an opportunity to address the Committee in support of the application.

DECIDED:-

After consideration, the Committee agreed that the application be granted.

(b)	<u>Name and Address of Applicant</u>	<u>Date Applied</u>
	Stephen Walker 55 Elmbank Drive Bonhill Alexandria G83 9EL	30 December 2016

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

Having heard the Section Head (Licensing), it was noted:-

- (a) that a letter had been received from the Chief Superintendent of the Police authority advising that the Chief Constable had a representation to make in relation to the application;
- (b) that in view of the representation, the applicant and a representative of the Police authority had been invited to attend the meeting of the Committee in order that a hearing could take place;
- (c) that the applicant and representatives of the Police authority, Sergeant Angela Walker and Constable Alison Simpson, were in attendance; and
- (d) that copies of the letter of representation from the Police authority dated 24 January 2017, had been issued to Members of the Committee in advance of the meeting.

DECIDED:-

After consideration, the Committee agreed that the application be granted.

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

(a)	<u>Name and Address of Applicant</u>	<u>Date Applied</u>
	Scott Brownlie Flat 2/2, 62 Glasgow Road Dumbarton G82 1HQ	7 December 2016

A report was submitted by the Strategic Lead – Regulatory concerning an application for Grant of a Temporary Taxi/Private Hire Car Driver's Licence by the above named person.

Having heard the Section Head (Licensing), it was noted:-

- (a) that a letter had been received from the Chief Superintendent of the Police authority advising that the Chief Constable had an objection to make in relation to the application;
- (b) that in view of the objection, the applicant and a representative of the Police authority had been invited to attend the meeting of the Committee in order that a hearing could take place;
- (c) that the applicant and representatives of the Police authority, Sergeant Walker and Constable Simpson, were in attendance; and
- (d) that copies of the letter of objection from the Police authority dated 29 December 2016, had been issued to Members of the Committee in advance of the meeting.

The Committee then heard from Sergeant Walker in relation to the letter of objection from the Police authority and in answer to Members' questions.

The applicant, Mr Brownlie, was then given the opportunity to address the Committee in support of his application and in connection with the circumstances relating to matters detailed in the Police letter. Thereafter, Mr Brownlie answered questions from Members'.

DECIDED:-

After consideration, the Committee agreed to continue consideration of the application for Grant of a Temporary Taxi/Private Hire Car Driver's Licence to the Special Meeting of the Licensing Committee to be held on 1 March 2017 to enable Mr Brownlie to present further information in support of his application.

(b)	<u>Name and Address of Applicant</u>	<u>Date Applied</u>
	Alan Spence 34 Fasque Place Drumchapel Glasgow G15 8HU	12 December 2016

A report was submitted by the Strategic Lead – Regulatory concerning an application for Grant of a Temporary Taxi/Private Hire Car Driver's Licence by the above named person.

Having heard the Section Head (Licensing), it was noted:-

- (a) that a letter had been received from the Chief Superintendent of the Police authority providing information in respect of the application for the Committee's consideration;
- (b) that the applicant and representatives of the Police authority, Sergeant Walker and Constable Simpson, were in attendance; and
- (c) that copies of the letter from the Police authority dated 29 December 2016, providing information in relation to the application, had been issued to Members of the Committee in advance of the meeting.

The Committee then heard from Sergeant Walker in relation to the information which had been provided by the Police authority concerning the application and she was then heard in answer to Members' questions.

Thereafter, Mr Spence was given the opportunity to address the Committee in support of the application and in connection with the circumstances relating to matters detailed in the Police letter.

DECIDED:-

After consideration, the Committee agreed that the application be granted for a period of 6 weeks.

(c)	<u>Name and Address of Applicant</u>	<u>Date Applied</u>
	David Cross Flat 1/1, 1 Larchfield Avenue Glasgow G14 9BZ	16 December 2016

A report was submitted by the Strategic Lead – Regulatory concerning an application for Grant of a Temporary Taxi/Private Hire Car Driver's Licence by the above named person.

Having heard the Section Head (Licensing), it was noted:-

- (a) that a letter had been received from the Chief Superintendent of the Police authority providing information in respect of the application for the Committee's consideration;
- (b) that the applicant and representatives of the Police authority, Sergeant Walker and Constable Simpson, were in attendance; and
- (c) that copies of the letter from the Police authority dated 29 December 2016, providing information in relation to the application, had been issued to Members of the Committee in advance of the meeting.

The Committee then heard from Sergeant Walker in relation to the information which had been provided by the Police authority concerning the application and she was then heard in answer to Members' questions.

Thereafter, Mr Cross was given the opportunity to address the Committee in support of the application and in connection with the circumstances relating to matters detailed in the Police letter.

DECIDED:-

After consideration, the Committee agreed that the application be granted for a period of 6 weeks.

Note: Councillor McColl entered the meeting at this point.

**AVAILABILITY OF WHEELCHAIR ACCESSIBLE VEHICLES IN THE
DUMBARTON AND VALE OF LEVEN TAXI ZONE**

A report was submitted by the Strategic Lead – Regulatory providing an update on the current level of Wheelchair Accessible Vehicles in the Dumbarton and Vale of Leven taxi zone and seeking approval to increase their numbers.

Having heard the Chair, Councillor O'Neill, the Committee agreed to hear from representatives of the taxi trade, Mr David Thomson and Mr John Watters, West Dunbartonshire Area Taxi Trade Association. It was noted that consultation with taxi operators had resulted in the majority opinion that the current level of WAVs in the Dumbarton and Vale of Leven zone was acceptable as WAV numbers were currently more than sufficient to meet the actual demand of users.

Following discussion, the Committee agreed:-

- (1) that in future all vehicles proposed for use as a taxi or private hire car, within the Dumbarton and Vale of Leven zone of West Dunbartonshire, with a carrying capacity of 5 or more passengers would require to be wheelchair accessible; and

- (2) that officers would continue to monitor the provision of WAVs both locally and nationally.

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982 PART V – PUBLIC
PROCESSIONS – POLICE, PUBLIC ORDER AND CRIMINAL JUSTICE
(SCOTLAND) ACT 2006 – NOTICE OF PROPOSAL TO HOLD A PUBLIC
PROCESSION: CLYDEBANK PROTESTANT MARTYRS**

A report was submitted by the Strategic Lead – Regulatory concerning a Notice of Proposal to hold a Public Procession submitted by Clydebank Protestant Martyrs.

Having heard the Chair, Councillor O'Neill, it was noted that the applicant was not in attendance and that due to an administrative error, had not received a letter inviting him to attend the meeting. On behalf of the Committee, an apology was issued to Constable Millar, Police Scotland and objectors to the application, Community Councillors John Hainey and Mary McAleer, all of whom were in attendance at the meeting.

DECIDED:-

It was agreed that the application be continued to a Special Meeting of the Licensing Committee being held on Wednesday, 1 March 2017 and that a letter of apology would be issued to both the applicant and objectors.

**HEARING REGARDING POSSIBLE SUSPENSION OF A TAXI DRIVER'S/
PRIVATE HIRE CAR DRIVER'S LICENCE**

A report was submitted by the Strategic Lead – Regulatory requesting consideration of the possible suspension of a Taxi Driver's/Private Hire Car Driver's Licence following a complaint which has been submitted by Police Scotland.

It was noted that the applicant was not in attendance however had been sent a letter inviting him to the meeting of the Committee.

DECIDED:-

Following consideration of all matters before the Board and having heard the Section Head (Licensing), the Senior Officer (Licensing) and the Licensing Sergeant in answer to questions from Members, the Committee agreed that the Hearing be continued to the Special Meeting of the Licensing Committee being held on Wednesday, 1 March 2017.

HEARING REGARDING POSSIBLE SUSPENSION OF TAXI DRIVER'S/ PRIVATE HIRE CAR DRIVER'S LICENCE

A report was submitted by the Strategic Lead – Regulatory requesting consideration of the possible suspension of a Taxi Driver's/Private Hire Car Driver's Licence following a complaint which has been submitted by Police Scotland.

Having heard the Chair, Councillor O'Neill, it was noted that the Hearing would be continued to the Special Meeting of the Licensing Committee being held on Wednesday, 1 March 2017.

The meeting closed at 11.15 a.m.