

Agenda



Meeting of Licensing Committee

Date: Wednesday, 12 October 2022

Time: 14:00

Venue: Council Chamber, Clydebank Town Hall, 5 Hall Street, Clydebank, G81 1UB

Contact: Lynn Straker, Committee Officer
Email: lynn.straker@west-dunbarton.gov.uk

Dear Member,

Please attend a meeting of **Licensing Committee** as detailed above.

The business is shown on the attached agenda.

Yours faithfully

PETER HESSETT

Chief Executive

Distribution:

Councillor Ian Dickson
Councillor Diane Docherty
Councillor June McKay
Councillor John Millar
Councillor Lawrence O'Neill
Councillor Chris Pollock
Councillor Gurpreet Singh Johal
Councillor Hazel Sorrell

All other Councillors for information.
Chief Officer – Regulatory and Regeneration

Date issued: 27 September 2022

LICENSING COMMITTEE

WEDNESDAY, 12 OCTOBER 2022

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 MINUTES OF PREVIOUS MEETING 5 - 6

Submit for approval, as a correct record, the Minutes of the Special Meeting of the Licensing Committee held on 13 September 2022.

4 OPEN FORUM

The Committee is asked to note that no open forum questions have been submitted by members of the public.

5 APPLICATION FOR RENEWAL OF A TAXI / PRIVATE HIRE CAR DRIVER'S LICENCE 7 - 9

Submit report by the 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. James McCallum, 12 Long Craggs View, Dumbarton, G82 3DL.

LICENSING COMMITTEE

At a Special Meeting of the Licensing Committee held in the Civic Space, 16 Church Street, Dumbarton on Tuesday, 13 September 2022 at 10.00 a.m.

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

Attending: Michael McDougall, Section Head - Licensing; Robert Mackie, Senior Officer (Licensing Services); Alan Douglas, Manager of Legal Services and Lynn Straker, Committee Officer.

Apologies: Apologies for absence were intimated on behalf of Councillors Diane Docherty and John Millar and Sergeant David Holmes, Police Scotland.

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 Meeting of the Licensing Committee held on 3 August 2022 were submitted and approved as a correct record, with the adjustment of Councillor Singh Johal being noted as Councillor Johal in the Minute.

OPEN FORUM

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

THE CIVIC GOVERNMENT (SCOTLAND) ACT 1982 (LICENSING OF SHORT-TERM LETS) ORDER 2022

A report was submitted by the Manager of Legal Services providing the Committee with information on the new powers that have been given to local authorities to regulate short-term lets in the form of a licensing scheme and seeking approval of the terms of the draft Short-Term Lets Policy to be effective from 1 October 2022.

Having heard the Manager of Legal Services, in further explanation and in answer to Members' questions, the Committee agreed:-

- (1) to note the commencement of the Civic Government (Scotland) Act 1982 (Licensing of Short-term Lets) Order 2022 on 1 March 2022;
- (2) to note that, as a result of the provisions of the legislation, local authorities must open a licensing scheme for short-term lets by 1 October 2022;
- (3) to note the challenges the Council faces in relation to the implementation of this licensing scheme;
- (4) to approve the draft Short-Term Lets Policy attached as Appendix 1 to the report, subject to any minor amendments agreed by the Manager of Legal Services in consultation with the Convenor to accommodate any significant observations from the Loch Lomond and the Trossachs National Park Authority; and
- (5) to review the Policy and its implementation within the next 18-24 months and ensure any issues are raised and managed going forward.

The meeting closed at 10.11 a.m.

WEST DUNBARTONSHIRE COUNCIL

Report by Chief Officer – Regulatory & Regeneration

Licensing Committee – 12 October 2022

Subject: Application for renewal of a 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. James McCallum, 12 Long Crags View, Dumbarton G82 3DL.

2. Recommendations

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

3. Background

- 3.1** Mr. McCallum submitted an application for grant of a Taxi/Private Hire Car Driver's Licence to the Council on 13 July 2022.
- 3.2** A letter was received from the Chief Constable of the Police authority on 30 August 2022 advising that the Police were unable to submit their response to the application within the statutory 28 day timescale due to matters concerning the applicant which required further monitoring.
- 3.3** A further letter was received from the Chief Constable of the Police authority on 30 August 2022 submitting an objection to the application.
- 3.4** 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. McCallum's application was received on 13 July 2022, any objection should have been submitted by 10 August 2022. 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. The Licensing Authority must be satisfied that there is sufficient reason why the objection had not been submitted in the time required having heard from the applicant and the Chief Constable's representative.

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 12 October 2022.
- 4.2** The terms of the letter containing the objection from the Police will be made

known to the Committee at the meeting should Members determine to entertain their late objection.

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.

Chief Officer – Regulatory & Regeneration

Date 22 September 2022

Person to Contact: Robert Mackie,
Senior Officer (Licensing Services),
Licensing Team,
Municipal Buildings,
College Street,
Dumbarton,
G82 1NR.

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Appendices: N/A.

Background Papers:

1. Application for grant of a Taxi/Private Hire Car Driver's Licence submitted by Mr. James McCallum, 12 Long Crag View, Dumbarton G82 3DL.
2. Letters dated 30 August 2022 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton.
3. Letter to Mr. McCallum dated 22 September 2022.

Wards Affected: N/A.