

## **WEST DUNBARTONSHIRE COUNCIL**

### **Report by Chief Officer – Regulatory & Regeneration**

**Licensing Committee – 14 June 2023**

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

#### **1. Purpose**

- 1.1** 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.

#### **2. Recommendations**

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

#### **3. Background**

- 3.1** Mr. Farrell submitted an application for grant of a Taxi/Private Hire Car Driver's Licence to the Council on 16 March 2023. The application however was incomplete therefore further information was sought from the applicant. This was subsequently received on 26 April 2023 at which point the application was registered and sent out for consultation.
- 3.2** Letters were received from the Chief Constable of the Police authority on 10 May 2023, the first of which submitted an objection in connection with the application with reference to a number of convictions and an alternative to prosecution, which are considered 'protected' in terms of the Rehabilitation of Offenders Act 1974. These protected matters are detailed in a second letter as well as additional information in connection with the objection.

#### **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 14 June 2023.
- 4.2** It will be a matter for the Committee to decide whether the applicant's 'protected' convictions should be disclosed and taken into consideration. It should be noted that protected convictions cannot be considered unless there is no other way of doing justice.
- 4.3** The terms of the letters from the Police, including the letter containing the protected convictions, 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 ensure our Communities are Resilient and Thriving.

Chief Officer – Regulatory & Regeneration

Date 15 May 2023

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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. Gerard Farrell, Flat 1/2 43 Broomknowes Road, Glasgow G21 4YP.

2. Letters dated 10 May 2023 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton.
3. Letter to Mr. Farrell dated 25 May 2023.

**Wards Affected:** N/A.