

# Agenda



## Meeting of Licensing Committee

**Date:** Wednesday, 7 August 2019

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**Time:** 10:00

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**Venue:** Council Chamber, Clydebank Town Hall, Dumbarton Road, Clydebank

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

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: 25 July 2019

**LICENSING COMMITTEE**  
**WEDNESDAY, 7 AUGUST 2019**

**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 7 - 12**

Submit for approval as a correct record, Minutes of Meeting of the Licensing Committee held on 19 June 2019.

**4 OPEN FORUM**

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

**5 CONTINUED APPLICATION FOR GRANT OF A TAXI/  
PRIVATE HIRE CAR DRIVER'S LICENCE 13 - 15**

**Name and Address of Applicant**

**Date Applied**

Mark Shields  
Flat 2, Quebec House  
Clydebank  
G81 4QP

15 February 2019

With reference to the Minutes of Meeting of the Licensing Committee held on 10 April 2019, submit report by the Strategic Lead – Regulatory concerning an Application for Grant of a Taxi/Private Hire Car Driver's Licence for the above named person.

**6/**

**6 APPLICATION FOR GRANT OF A TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE 17 - 22**

**(a) Name and Address of Applicant**

**Date Applied**

Asif Khan  
67 Risk Street  
Dumbarton  
G82 1SG

27 March 2019

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

**(b) Name and Address of Applicant**

**Date Applied**

Darren Gallacher  
10 Briar Drive  
North Kilbowie  
Clydebank  
G81 3HX

19 June 2019

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

**7 APPLICATIONS FOR RENEWAL OF A TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE 23 - 25**

**Name and Address of Applicant**

**Date Applied**

Stuart Douglas  
Flat 3/1, 79 Beardmore Place  
Dalmuir  
Clydebank  
G81 4HU

4 June 2019

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

**8 APPLICATION FOR TEMPORARY TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE 27 - 29**

**Name and Address of Applicant**

**Date Applied**

James Johnston  
5 Lusset Glen  
Old Kilpatrick  
G60 5DD

28 May 2019

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

**9 HEARING REGARDING POSSIBLE SUSPENSION OR REVOCATION OF A PRINCIPAL STREET TRADER'S LICENCE 31 - 34**

Submit report by the Strategic Lead – Regulatory concerning a request from the Chief Constable of Police Scotland for the suspension of a Principal Street Trader's Licence held by Paul Duncan.

**10 APPLICATION FOR VARIATION TO A PRINCIPAL STREET TRADER'S LICENCE 35 - 37**

**Name and Address of Applicant**

**Date Applied**

Lori Serapiglia  
34 Tweed Drive  
Bearsden  
G61 1EJ

8 May 2019

Submit report by the Strategic Lead – Regulatory concerning an Application for Variation to a Principal Street Trader's Licence.

**11 TEMPORARY PUBLIC ENTERTAINMENT LICENCES FOR COMMERCIAL FUNFAIRS, FIREWORKS EVENTS AND LIVE AMPLIFIED MUSIC EVENTS 39 - 43**

Submit report by the Strategic Lead – Regulatory on the notification requirements on receipt of applications for temporary entertainment licences.

12/

## 45

“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.”

Submit report by the Strategic Lead – Regulatory concerning a request from the Chief Constable of Police Scotland for the suspension of a Taxi Driver's/Private Hire Car Driver's Licence.

Name and Address of Applicant	Date Applied
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Gerard Divers  
11B Cowal View  
Duncan Street  
Clydebank  
G81 3DF

2 May 2019

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

## **LICENSING COMMITTEE**

At a Meeting of the Licensing Committee held in the Council Chamber, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday, 19 June 2019 at 10.00 a.m.

**Present:** Councillors Jim Brown, Ian Dickson, Jonathan McColl, Marie McNair, Lawrence O'Neill and Brian Walker.

**Attending:** Peter Hissett, Strategic Lead - Regulatory; Robert Mackie, Senior Officer (Licensing Services); Lawrence Knighton, Licensing Standards Officer and Nuala Borthwick and Gabriella Gonda, Committee Officers.

**Also Attending:** Sergeant Mairi Capaldi, Police Scotland\*.

\* Arrived later in the meeting.

**Apologies:** Apologies for absence were intimated on behalf of Councillors Jim Finn and John Mooney.

**Councillor Jonathan McColl in the 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 MEETINGS**

- (1) The Minutes of Meeting of the Licensing Committee held on 8 May 2019 were submitted and approved as a correct record; and
- (2) the Minutes of Special Meeting of the Licensing Committee held on 21 May 2019 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.

## **EXCLUSION OF PRESS AND PUBLIC**

The Committee agreed to pass the following resolution for the following two items of business:-

“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.”

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

A report was submitted by the Strategic Lead – Regulatory concerning a request from the Chief Constable of Police Scotland for the suspension of a Taxi Driver's/Private Hire Car Driver's Licence.

Having heard the Strategic Lead – Regulatory and Section Head (Licensing), it was noted that the licence holder had advised officers in advance of the meeting that he would be unable to attend the Hearing and had requested that the matter be continued to the next meeting of the Committee scheduled to be held on 7 August 2019.

#### **DECIDED:-**

Following discussion and having heard the Strategic Lead – Regulatory and the Section Head (Licensing) in further explanation and in answer to Members' questions, it was agreed that the hearing be continued to the next scheduled meeting of the Licensing Committee being held on 7 August 2019.

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

#### **Name and Address of Applicant**

#### **Date Applied**

Gerard Divers  
11B Cowal View  
Duncan Street  
Clydebank  
G81 3DF

2 May 2019

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

#### **DECIDED:-**

It was agreed that the application be continued to the next scheduled meeting of the Licensing Committee being held on 7 August 2019.



## **VARIATION IN THE ORDER OF BUSINESS**

Having heard the Chair, Councillor McColl, it was agreed that the business of the meeting be varied as hereinafter minuted.

## **SEXUAL ENTERTAINMENT VENUE LICENSING**

A report was submitted by the Strategic Lead – Regulatory providing information on the commencement of legislation relating to the licensing provisions for sexual entertainment venues (SEVs).

### **DECIDED:-**

After discussion and having heard the Strategic Lead – Regulatory in further explanation of the report and in answer to Members' questions, the Committee agreed to authorise officers to carry out a public consultation and evidence gathering process in order to establish views on:-

- (1) whether SEVs in West Dunbartonshire should be licensed and, if so, what the appropriate number of these venues, in West Dunbartonshire or specified parts of West Dunbartonshire, should be; and
- (2) if these venues are to be licensed, what information should be included in a SEV Licensing Policy Statement.

## **ADJOURNMENT**

Having heard the Chair, Councillor McColl, the Committee agreed to adjourn for a short period to allow Sergeant Capaldi, Police Scotland to arrive at the meeting. The meeting reconvened at 10.25 a.m. with all Members listed in the sederunt present.

Note: Sergeant Capaldi entered the meeting at this point in the proceedings.

## **EXCLUSION OF PRESS AND PUBLIC**

The Committee agreed to pass the following resolution for the following two items of business:-

"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."

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

A report was submitted by the Strategic Lead – Regulatory concerning a request from the Chief Constable of Police Scotland for the suspension of a Taxi Driver's/Private Hire Car Driver's Licence.

Having heard the Strategic Lead - Regulatory, it was noted:-

- (a) that a letter had been received from the Chief Constable of Police Scotland on 21 May 2019 requesting the suspension of a Taxi Driver's/Private Hire Car Driver's Licence under Paragraph 11(1) of Schedule 1 to the Civic Government (Scotland) Act 1982 complaining that the licence holder was no longer a fit and proper person to hold a licence on the grounds that the carrying on of the activity to which the licence relates was likely to cause a serious threat to public safety;
- (b) that the applicant's current licence expired on 15 April 2019 however an application for the renewal of licence had been submitted on 23 April 2019;
- (c) that, in view of the request for suspension of the licence from Police Scotland, the licence holder and a representative of Police Scotland had been invited to attend the meeting in order that a hearing may take place;
- (d) that copies of the letter from Police Scotland had been issued to Members of the Committee in advance of the meeting; and
- (e) that the matters which the Committee required to consider in relation to paragraph (c) above were as follows:-
  - (i) whether the alleged misconduct had been established;
  - (ii) if the Committee was satisfied that the alleged misconduct had been established, whether, having regard to the misconduct, the licence holder was no longer a fit and proper person to hold a Taxi Driver's/Private Hire Car Driver's Licence;
  - (iii) if the Committee was of the opinion that the licence holder was no longer a fit and proper person, then the Committee must consider whether the licence should be suspended;
  - (iv) if the Committee was satisfied that the licence should be suspended, the Committee must give the licence holder the opportunity to be heard on the length of the suspension and the date from which the suspension should commence;
  - (v) the Committee must then consider what length of suspension would be appropriate and whether the circumstances of the case would justify immediate suspension; and

- (vi) that if the Committee was satisfied that the circumstances of the case justified revocation, the Committee must then consider whether this revocation should be immediate.

It was noted that the licence holder accompanied by his representative, and a representative of Police Scotland, Sergeant Capaldi, were in attendance.

The Committee then heard from Sergeant Capaldi in relation to the letter from Police Scotland and in answer to Members' questions. The Senior Officer (Licensing Services) was also heard in answer to Members' questions.

Thereafter, the licence holder was given an opportunity to address the Committee on the circumstances detailed in the letter from the Police authority and in answer to questions from Members.

**DECIDED:-**

After consideration, it was agreed:-

- (1) that the alleged misconduct had not been established; and
- (2) that the licence holder remained a fit and proper person to hold a taxi/private hire car driver's licence.

The licence holder was advised by the Strategic Lead – Regulatory that were he subsequently convicted the Committee would be entitled to look at the matter again.

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

**Name and Address of Applicant**

**Date Applied**

Andrew Boyle  
182 Dorchester Avenue  
Glasgow  
G12 0DB

23 April 2019

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

Having heard the Strategic Lead - Regulatory, it was noted:-

- (a) that a letter had been received from the Chief Superintendent of the Police authority making an objection with respect to the application;
- (b) that in view of the objection which had been received from Police Scotland, the applicant and a representative of Police Scotland had been invited to attend the meeting in order that a hearing may take place;

- (c) that Mr Boyle was in attendance at the meeting and was accompanied by Mr Henry Glasgow, Clydebank Taxis and that Sergeant Capaldi was in attendance on behalf of Police Scotland;
- (d) that the letter from the Chief Constable was received on 31 May 2019 and in terms of the legislation, an objection with respect to an application should be submitted within 28 days of receipt of the application. As Mr Boyle's application was submitted on 23 April 2018, any objection should have been submitted by 21 May 2019. There is, however, provision in the legislation for the licensing authority to entertain a late objection which had been received before a final decision had been made on the application if the licensing authority was satisfied that there had been sufficient reason why the objection had not been made in the time required; and
- (e) that it would be a matter for the Committee to decide initially whether the late objection from the Police should be taken into consideration.

The Committee heard from Sergeant Capaldi, on the reason for the late objection which had been submitted outwith the statutory period. The Committee then agreed that the Police objection would be taken into consideration. Copies of the letter containing the objection were accordingly circulated to Members of the Committee. Having heard from Sergeant Capaldi, it was noted that Mr Boyle's pending case had still to be marked by the Procurator Fiscal.

Thereafter, the Committee heard from Mr Boyle in support of his application and in answer to Members' questions.

**DECIDED:-**

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

The meeting closed at 10.43 a.m.

**WEST DUNBARTONSHIRE COUNCIL**  
**Report by Strategic Lead – Regulatory**  
**Licensing Committee – 7 August 2019**

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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. Mark Shields, Flat 2, Quebec House, Clydebank G81 4QP.

**2. Recommendations**

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

**3. Background**

- 3.1** Mr. Shields submitted an application for grant of a Taxi/Private Hire Car Driver's Licence to the Council on 15 February 2019.
- 3.2** A letter was received from the Chief Constable of the Police authority on 13 March 2019 submitting an objection in relation to the application.
- 3.3** Mr. Shields previously attended a meeting of the Licensing Committee on 7 January 2019 where a hearing was held to determine an application for the grant of a temporary Taxi/Private Hire Car Driver's Licence having received a comment from Police Scotland. Having heard from the Police, Members decided to grant the application for a six week period.
- 3.4** At the meeting of the Licensing Committee held on 10 April 2019, Members agreed that the application be continued to the meeting of the Licensing Committee scheduled to be held on Wednesday, 7 August 2019 at 10.00 a.m.

**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 7 August 2019.
- 4.2** 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 2 July 2019

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**Person to Contact:** Robert Mackie,  
Senior Officer (Licensing Services),  
Licensing Team,  
Municipal Buildings,  
College Street,  
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G82 1NR.  
  
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**Appendices:** N/A.

### **Background Papers:**

- 1.** Application for grant of a temporary Taxi/Private Hire Car Driver's Licence from Mr. Mark Shields, Flat 2, Quebec House, Clydebank G81 4QP.
- 2.** Letter dated 13 March 2019 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton G82 3PT.
- 3.** Letter to Mr. Shields dated 22 March 2019.

4. Letter to Mr. Shields dated 18 July 2019.

**Wards Affected:** N/A.





**WEST DUNBARTONSHIRE COUNCIL**  
**Report by Strategic Lead – Regulatory**  
**Licensing Committee – 7 August 2019**

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**Subject: Application for grant of 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. Asif Khan, 67 Risk Street, Dumbarton G82 1SG.

**2. Recommendations**

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

**3. Background**

- 3.1** Mr. Khan submitted an application for grant of Taxi/Private Hire Car Driver's Licence to the Council on 27 March 2019.
- 3.2** A letter was received from the Chief Constable of the Police authority on 16 April 2019 advising that further enquiries were being made following which their response would be submitted.
- 3.3** A further letter was received from the Chief Constable of the Police authority on 27 June 2019 requesting that the Licensing Committee accept a late notification of objection from the Police in relation to the application from Mr. Khan.
- 3.4** A separate letter was also received from the Chief Constable of the Police authority on 27 June 2019 submitting the objection to the application.
- 3.5** 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. Khan's application was received on 27 March 2019, any objection should have been submitted by 24 April 2019. 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.
- 3.6** Mr. Khan previously held a Taxi Driver's/Private Hire Car Driver's Licence from 17 January 2018 until 16 January 2019 which was granted under delegated powers having received no police objection or representation.
- 3.7** On 25 September 2018, a letter was received from the Chief Constable of Police Scotland requesting the immediate suspension of the Taxi Driver's/Private Hire Car Driver's Licence held by Mr. Asif Khan under

Paragraph 11(2)(a) of Schedule 1 to the Civic Government (Scotland) Act 1982 on the grounds that the carrying on of the activity to which the licence relates is likely to cause a serious threat to public order or public safety.

- 3.8** At the meeting of the Licensing Committee held on 10 October 2018, the hearing to determine the possible suspension or revocation of Mr. Khan's Taxi Driver's/Private Hire Driver's Licence was continued until the next meeting of the Licensing Committee scheduled for 5 December 2018 as Mr. Khan was not in attendance.
- 3.9** At the continued meeting of the Licensing Committee held on 5 December 2018 to determine the possible suspension or revocation of Mr. Khan's Taxi Driver's/Private Hire Driver's Licence, Members agreed that the suspension hearing be continued to a future Licensing Committee in order to find out the outcome of pending proceedings against the applicant.
- 3.10** Mr. Khan failed to renew the Taxi Driver's/Private Hire Car Driver's Licence when it expired on 16 January 2019 which also removed any requirement to hold a hearing.

#### **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 7 August 2019.
- 4.2** 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.

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

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[robert.mackie@west-dunbarton.gov.uk](mailto:robert.mackie@west-dunbarton.gov.uk)

**Appendices:** N/A.

### **Background Papers:**

1. Application for grant of a Taxi/Private Hire Car Driver's Licence from Mr. Asif Khan, 67 Risk Street, Dumbarton G82 1SG.
2. Letters dated 26 June 2019 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton G82 3PT.
3. Letter to Mr. Khan dated 18 July 2019.

**Wards Affected:** N/A.

Strategic Lead - Regulatory

Date 2 July 2019



**WEST DUNBARTONSHIRE COUNCIL**

**Report by Strategic Lead – Regulatory**

**Licensing Committee – 7 August 2019**

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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. Darren Gallacher, 10 Briar Drive, North Kilbowie, Clydebank G81 3HX.

**2. Recommendations**

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

**3. Background**

- 3.1** Mr. Gallacher submitted an application for grant of a Taxi/Private Hire Car Driver's Licence to the Council on 19 June 2019.
- 3.2** A letter was received from the Chief Constable of the Police authority on 16 July 2019 submitting a representation in relation to the application.
- 3.3** Mr. Gallacher previously submitted an application for grant of a temporary Taxi/Private Hire Car Driver's Licence to the Council on 19 April 2017. At a meeting of the Licensing Committee held on 14 June 2017, having heard from Police Scotland, the Committee agreed that the application be refused on the grounds that the applicant was not a fit and proper person to be the holder of a Temporary Taxi Driver/Private Hire Car Driver's Licence.

**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 7 August 2019.
- 4.2** 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 16 July 2019

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**Person to Contact:** Robert Mackie,  
Senior Officer (Licensing Services),  
Licensing Team,  
Municipal Buildings,  
College Street,  
Dumbarton,  
G82 1NR.  
  
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[robert.mackie@west-dunbarton.gov.uk](mailto:robert.mackie@west-dunbarton.gov.uk)

**Appendices:** N/A.

**Background Papers:**

- 1.** Application for grant of a temporary Taxi/Private Hire Car Driver's Licence from Mr. Darren Gallacher, 10 Briar Drive, North Kilbowie, Clydebank G81 3HX.
- 2.** Letter dated 16 July 2019 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton G82 3PT.
- 3.** Letter to Mr. Gallacher dated 18 July 2019.

**Wards Affected:** N/A

**WEST DUNBARTONSHIRE COUNCIL**

**Report by Strategic Lead – Regulatory**

**Licensing Committee – 7 August 2019**

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**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. Stuart Douglas, Flat 3/1 79 Beardmore Place, Dalmuir, Clydebank G81 4HU.

**2. Recommendations**

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

**3. Background**

- 3.1** Mr. Douglas submitted an application for renewal of a Taxi/Private Hire Car Driver's Licence to the Council on 4 June 2019.
- 3.2** A letter was received from the Chief Constable of the Police authority on 2 July 2019 advising that further enquiries were being made following which their response would be submitted.
- 3.3** Two further letters were received from the Chief Constable of the Police authority on 4 July 2019. The first letter provided an explanation for the late response while the second letter contained the Police submission in relation to the representation to the application.
- 3.4** In terms of the relevant legislation, a representation with respect to an application should be submitted within 28 days of receipt of the application. As Mr. Douglas' application was received on 4 June 2019, any representation should have been submitted by 2 July 2019. There is, however, provision in the legislation for the Licensing Authority to entertain a late representation which has been received before a final decision has been made if the Licensing Authority is satisfied that there is sufficient reason why the representation had not been made in the time required.
- 3.5** Mr. Douglas' current Taxi Driver's/Private Hire Car Driver's Licence has an expiry date of 4 June 2019 however as the application was submitted on the expiry date this has the effect of extending the duration of the licence until the renewal application is determined.

**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 7 August 2019.

**4.2** 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 9 July 2019

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

Tel. No. (Direct line) 01389 738742.



[robert.mackie@west-dunbarton.gov.uk](mailto:robert.mackie@west-dunbarton.gov.uk)

**Appendices:** N/A.

**Background Papers:**

1. Application for renewal of a Taxi/Private Hire Car Driver's Licence from Mr. Stuart Douglas, Flat 3/1 79 Beardmore Place, Dalmuir, Clydebank G81 4HU.
2. Letter dated 2 July 2019 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton G82 3PT.
3. Letters dated 4 July 2019 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton G82 3PT.
4. Letter to Mr. Douglas dated 18 July 2019.

**Wards Affected:** N/A.



**WEST DUNBARTONSHIRE COUNCIL**

**Report by Strategic Lead – Regulatory**

**Licensing Committee – 7 August 2019**

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

**1. Purpose**

- 1.1** To consider an application for grant of a temporary Taxi/Private Hire Car Driver's Licence submitted by Mr. James Johnston, 5 Lusset Glen, Old Kilpatrick, Glasgow G60 5DD.

**2. Recommendations**

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

**3. Background**

- 3.1** Mr. Johnston submitted an application for grant of a temporary Taxi/Private Hire Car Driver's Licence to the Council on 28 May 2019.
- 3.2** A letter was received from the Chief Constable of the Police authority on 6 June 2019 submitting a comment in relation to the application.
- 3.3** Mr. Johnston held a Taxi Driver's/Private Hire Car Driver's Licence prior to submitting the application for a temporary licence however the licence expired on 29 April 2019. Mr. Johnston requested a 28 day extension which effectively extended the duration of the licence until 27 May 2019. As Mr. Johnston failed to submit the application within the 28 day period he was no longer able to apply for a renewal and instead had to apply for a grant.

**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 7 August 2019.
- 4.2** 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 2 July 2019

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**Appendices:** N/A.

**Background Papers:**

- 1.** Application for grant of a temporary Taxi/Private Hire Car Driver's Licence from Mr. James Johnston, 5 Lusset Glen, Old Kilpatrick, Glasgow G60 5DD.
- 2.** Letter dated 5 June 2019 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton G82 3PT.
- 3.** Letter to Mr. Johnston dated 18 July 2019.

**Wards Affected:** N/A.



**WEST DUNBARTONSHIRE COUNCIL**  
**Report by the Strategic Lead - Regulatory**  
**Licensing Committee – 7 August 2019**

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**Subject:     Hearing regarding possible suspension or revocation of a Principal Street Trader's Licence**

**1.     Purpose**

- 1.1**     To consider the suspension or revocation of the Principal Street Trader's Licence held by Mr. Paul Duncan, Flat 5/5 36 Lister Heights, Drygate, Glasgow G4 0XZ

**2.     Recommendations**

- 2.1**     The Committee are asked to consider the terms of this report, the evidence presented at the hearing and thereafter determine whether the licence should be suspended and, if so, the duration of the suspension and date of commencement thereof or alternatively revoke the licence.

**3.     Background**

- 3.1**     An enquiry was received from an existing holder of a Principal Street Trader's Licence, Mrs. Lori Serapiglia, on 2 May 2019 regarding the apparent vacant pitch at Clydebanks High School and the unserviced areas in Dalmeir, Boquhanran, Radnor Park and North Drumry.
- 3.2**     These areas are currently listed on the Principal Street Trader's Licence held by Mr. Duncan however following enquiries by the Civic Licensing Enforcement Officer, it was established that Mr. Duncan has not been operating his Ice Cream Van for some time.
- 3.3**     Officers made numerous attempts to contact Mr. Duncan by telephone, in writing, both by normal post and recorded delivery, and as a last resort by finally visiting his home address in Glasgow on 31 May 2019. Mr. Duncan was not in at the time however the person he resides with advised Officers that he still resides there. A message was left asking that Mr. Duncan contact the Licensing Office as a matter of urgency and he responded on 4 June 2019 when he contacted the Senior Officer (Licensing Services) by telephone.
- 3.4**     Having established contact with Mr. Duncan he advised that the best method of reaching him would be by email. Since contact was established Mr. Duncan has been emailed on 5 separate occasions asking if he could confirm to the Senior Officer (Licensing Services) the date on which he last operated his Street Trader's Licence either at Clydebanks High School or on the routes stipulated on his licence but at the time of writing this report he had failed to supply this information.

- 3.5** Further enquiries have found that the vehicle which was being used by Mr. Duncan when his Principal Street Trader's Licence was renewed in July 2017, has had no valid MOT certificate since its' expiry date on 2 January 2018.
- 3.6** Officers are seeking the suspension or revocation of the Street Trader's Licence held by Mr. Duncan as he is in breach of the conditions of holding the licence. Specifically, the conditions which he has breached are:-

*'15. A Street Trader employee who ceases to act as such for the unexpired period of their licence, or whose licence shall have been suspended or revoked by the Council or shall have expired shall, within seven days thereafter, deliver their licence and badge to the Strategic Lead - Regulatory and shall be in contravention of these conditions if they shall fail to deliver both or either their licence and/or badge within said period of seven days.*

and

*'20. The holder of a Street Trader's licence must inform the local authority if they are no longer servicing any areas stipulated on their licence.'*

- 3.7** Mr. Duncan has ceased to act as a Street Trader and has failed to advise the local authority that he is no longer servicing the areas stipulated on his licence.
- 3.8** An application for the variation to an existing Principal Street Trader's Licence was submitted by Mrs. Lori Serapiglia on 8 May 2019 requesting that she be allowed to operate her Ice Cream Van at the locations currently listed on the Principal Street Trader's Licence held by Mr. Duncan. This application is subject to a separate report, the consideration of which will be dependent on Members decision on the suspension or revocation of Mr. Duncan's current licence and, in the event of a suspension or revocation, any subsequent appeal.
- 3.9** Mr. Duncan's current Principal Street Trader's Licence expires on 16 July 2020.

#### **4. Main Issues**

- 4.1** A licensing authority may order the suspension of a licence under Paragraph 11 if, in its opinion, a condition of the licence has been breached and/or the licence holder is no longer a fit and proper person to hold the licence.
- 4.2** The period of suspension of a licence is the unexpired portion of the duration of the licence, or such shorter period as the licensing authority may fix.
- 4.3** Where a licensing authority decides to order the suspension or revocation of a licence, the suspension or revocation generally does not take effect until the expiry of the time within which the holder of the licence may appeal against the suspension or revocation (28 days from the date of the decision) or, if an appeal has been lodged, until the appeal has been abandoned or determined in favour of the suspension or revocation.



- 4.4** A licensing authority must, before deciding to suspend or revoke a licence under Paragraph 11, give the holder of the licence, the Chief Constable and the Civic Licensing Standards Officer an opportunity of being heard.
- 4.5** The licence holder, the Chief Constable and the Civic Licensing Standards Officer have been invited to attend the meeting of the Committee on 7 August 2019 in order that a hearing may take place with regard to the possible suspension or revocation of the licence.
- 4.6** In considering whether to suspend or revoke a licence the licensing authority may have regard to any misconduct on the part of the licence holder which in the opinion of the authority has a bearing on his fitness to hold a licence.
- 4.7** The matters which the Committee will require to consider in relation to paragraph 4.1 above are as follows:-
- (a) Whether the alleged misconduct has been established.
  - (b) If the Committee is satisfied that the alleged misconduct has been established, whether, having regard to the misconduct, Mr. Duncan has breached a condition of his licence and/or is no longer a fit and proper person to hold a Principal Street Trader's Licence.
  - (c) If the Committee is of the opinion that Mr. Duncan has breached a condition of his licence and/or is no longer a fit and proper person, the Committee must consider whether his licence should be suspended or revoked.
  - (d) If the Committee is satisfied that the licence should be suspended, the Committee must give Mr. Duncan an opportunity of being heard on the length of the suspension and the date from which the suspension should commence.
  - (e) The Committee must then consider what length of suspension is appropriate and whether the circumstances of the case justify immediate suspension.
  - (f) If the Committee is satisfied that circumstances justify revocation, the Committee must consider whether this revocation should be immediate.

**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** No consultation was required in relation to this request for suspension from Police Scotland.

**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 16 July 2019

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**Appendices:** N/A.

**Background Papers:**

1. Letters dated 7 May 2019 to Mr. Paul Duncan.
2. Letter to Mr. Duncan dated 18 July 2019.

**Wards Affected:** N/A.

**WEST DUNBARTONSHIRE COUNCIL**

**Report by Strategic Lead – Regulatory**

**Licensing Committee – 7 August 2019**

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**Subject: Application for variation to an existing Principal Street Trader's Licence**

**1. Purpose**

- 1.1** To consider an application for variation to an existing Principal Street Trader's Licence submitted by Mrs. Lori Serapiglia, 34 Tweed Drive, Bearsden, Glasgow G61 1EJ.

**2. Recommendations**

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

**3. Background**

- 3.1** Mrs. Serapiglia submitted an application for variation to an existing Principal Street Trader's Licence to the Council on 8 May 2019.

- 3.2** The licence currently held by Mrs. Serapiglia allows her to operate on the following days, times and locations:-

Each Day:- 10.30 am – 10.30 pm  
Whitecrook

- 3.3** The application for variation to the existing Principal Street Trader's Licence requests the addition of the following locations:-

Monday – Friday:- 12.00 pm - 11.00 pm  
Dalmuir, Boquhanran, Radnor Park and North Drumry

Monday – Friday:- 12.00 pm – 2.00 pm  
Clydebank High School, Janetta Street (adjacent to the curtilage of Clydebank High School).

- 3.4** The locations and times which Mrs. Serapiglia is seeking to add to her existing licence are currently listed on the licence held by another Principal Street Trader, Mr. Paul Duncan who is subject to a separate report at this Committee.

- 3.7** At a meeting of the Licensing Committee on 1 February 2006, Members agreed to approve a policy whereby there would be a presumption against granting an application for a new Street Trader's Licence for a location in the vicinity of a secondary school and for operating within school hours, unless the proposed location was a minimum of two hundred and fifty metres from the curtilage of the

school premises and the business was not seen as targeting school pupils.

**3.8** The policy also noted that individual applications would still require to be considered on their own merits.

**3.9** When the policy was introduced in 2006, those operators who already held a licence to operate within two hundred and fifty meters from the curtilage of the school premises were allowed to continue to trade. Mr. Duncan was one of those operators at that time.

**3.10** The Principal Street Trader's Licence currently held by Mr. Duncan expires on 16 July 2020.

**3.11** The Principal Street Trader's Licence currently held by Mrs Serapiglia expires on 22 April 2022.

#### **4. Main Issues**

**4.1** Notification that there are no Police objections or representations in relation to the application was received on 9 May 2019.

**4.2** In accordance with the policy implemented by the Committee in 2006 regarding the operation of Street Trader's in the vicinity of a secondary school within school hours, the applicant has been invited to attend the meeting of the Committee to be held on 7 August 2019.

**4.3** Members will have held a hearing to consider the suspension or revocation of the Principal Street Trader's Licence held by Mr. Paul Duncan prior to the consideration of this application for variation to an existing Principal Street Trader's Licence. Any decision will be dependent on the outcome of the hearing on the suspension or revocation of Mr. Duncan's current licence and, in the event of a suspension or revocation, any subsequent appeal.

#### **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 11 July 2019

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**Appendices:** N/A.

### **Background Papers:**

1. Application for variation to an existing Principal Street Trader's Licence from Mrs. Lori Serapiglia, 34 Tweed Drive, Bearsden, Glasgow G61 1EJ.
2. Letter to Mrs. Serapiglia dated 18 July 2019.

**Wards Affected:** N/A.



**WEST DUNBARTONSHIRE COUNCIL****Report by Strategic Lead - Regulatory****Licensing Committee – 7 August 2019**

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**Subject: Temporary Public Entertainment Licences for Commercial Funfairs, Firework Events and Live Amplified Music Events.**

**1. Purpose**

- 1.1** To report to the Committee on the current procedure for notification requirements on receipt of applications for temporary public entertainment licences (commercial funfairs, firework events and live amplified music events), and to consider whether the Committee would wish to amend the current procedure for notification requirements to include additional notification requirements by the applicant.

**2. Recommendations**

- 2.1** It is recommended the Committee agree to additional notification requirements on applicants requesting a temporary public entertainment licence for a commercial funfair, a firework event or a live amplified music event and that:
- (i) The Committee delegates authority to the Strategic Lead - Regulatory to decide the revised procedure so that an applicant for a commercial funfair, firework event or live amplified music event would have to display a notice at or near to the site, and that the Council would advertise the application in the relevant local newspaper at the applicant's cost. This cost to be reflected in an increased fee for an application for a commercial temporary public entertainment licence.
  - (ii) It is recommended that all relevant Community Councils and local ward Elected Members are informed of such applications that require these additional notification requirements.
- 2.2** It is further recommended that the advertisement requirements for temporary public entertainment licences be for a period of 14 days, and that any relevant representations/objections be made to the Clerk to the Licensing Committee within 14 days of publication of such notifications. Thereafter, in the event that any relevant objections or representations were received, the Committee would determine such applications where the applicant has applied timeously which would be within three months of the proposed event.

### **3. Background**

- 3.1** In terms of the Civic Government (Scotland) Act, 1982, an application may be made for a public entertainment licence in terms of Section 41 of the Act. Section 41 of the Act provides that a licence shall be required where a premises is used as a place of "public entertainment". The type of activities which are covered by the definition of "public entertainment" is within Local Authorities discretion. The Committee's current Resolution came into effect on the 8 December 2016 and details activities considered licensable as public entertainment. This includes events such as funfairs, firework events and music events.
- 3.2** The Council currently offers applicants, where the period sought is less than six weeks, to apply for a "temporary" public entertainment licence. This is in terms of Paragraph 7, Schedule 1 of the Civic Government (Scotland) Act 1982 that makes provision for temporary licences. It is discretionary as to whether the Council offers a temporary licence, but it has been the policy and practice of this Council to do so. The temporary licence is of a lesser fee than a full licence and also attracts lesser notification requirements than that of a full licence application. For a temporary public entertainment licence application only Police Scotland are formally notified and also, Scottish Fire and Rescue where they are the enforcing authority. The fee for a full public entertainment licence, which has a duration of 3 years, is currently £1,764, while the fee for a temporary public entertainment licence is £681.

### **4. Main Issues**

- 4.1** At Council on the 29 May 2019 it was agreed to bring a report to this Committee that details the current procedure with regard to temporary public entertainment licences, and an explanation of how this may be improved for the future. The options detailed in this report should include the status quo, limited notification and consultation with local residents & ward councillors, up to and including requiring full consideration by the Councils' Licensing Committee. The Licensing Committee can agree an appropriate procedure once the report is published.
- 4.2** A temporary public entertainment licence can often be used for events that can range from large scale commercial events to minor community style events. Events such as funfairs, fireworks and live amplified music events can attract a great deal of public interest from nearby residents, and Local Elected Members who may wish to be made aware of the application within their ward area. Currently, there is no requirement for a temporary public entertainment licence to be advertised at all to such parties. In terms of funfair events, the Council regularly receives applications for two specific funfair events situated within hard standing areas in Clydebanks and Alexandria during the calendar year. In addition, this year the Council granted an application for a funfair event within Dumbarton Common under a temporary public entertainment licence. There have been no reported incidents following



such events, but there has been concerns raised about the lack of notification of such events from residents and some Elected Members.

- 4.3** The current temporary entertainment licence application procedure means that currently, persons who may be significantly affected by an application have no means of being publically notified of the application by way of a site notice and/or a newspaper advertisement. The application is available on the public register for anyone to inspect, but generally very few requests are received to view such public register notifications. It is considered putting a requirement on the applicant to advertise temporary applications for funfairs, fireworks events or live amplified music events would allow the public to be informed of such events. If any relevant representations/objections are received the Licensing Committee would determine the application. In order to allow time for applications to be determined by the Licensing Committee, applications for a temporary public entertainment licence would require to be made no later than a period of three months prior to the proposed event.
- 4.4** The additional cost of advertising such events would be borne by the applicant in terms of an increased fee for such events. The applicant would be advised at the time of application what they would require to do by way of site notice and/or public advertisement. This would require an applicant to apply some three months before such an event to allow time for the application to be advertised and determined where there are relevant objections or representations. The likely cost of the standard newspaper advert required for such would be £155.22 plus VAT for any Clydebank specific events, and £85.80 plus VAT for advertisement of Dumbarton specific events. There is an additional cost for the applicant. However, if the Council removed the discretionary nature of allowing applications for temporary licences, then the applicant would have to pay the full application fee of £1,764 and comply with the full advertising requirements for a full public entertainment licence.
- 4.5** It is, of course, an option for the Committee to consider the status quo and not adjust its current procedure for applications for a temporary public entertainment licence. If the Committee decide to do so, the risk for such would be that there would be no straightforward mechanism for interested parties to be made aware of the application. The Committee could also consider a limited notification too that does not include a newspaper advertisement requirement, but requires a site notice and community councils and local ward members to be notified of the proposed event. Such an approach would not result in an increase in the fee.
- 4.6** The Committee should also be aware that there is a draft members' bill at the Scottish Parliament that has been consulted upon. There is a proposal to exempt travelling funfairs from public entertainment licensing requirements and to create a distinct new licensing system for travelling funfairs in Scotland. It is not known at this stage, if and when, this will be approved. Officers will keep the Committee advised of progress of this. It may be that if this approved

that a separate licensing regime would then supersede any decision of this Committee with regard to the licensing of funfairs.

## **5. People Implications**

- 5.1** There are no personnel issues for the Council arising from this report.

## **6. Financial Implications**

- 6.1** There are no financial implications for the Council arising from this report as any additional notification costs would be charged to the applicant. The Council would need to agree a revised fee if the notification requirements are to include the cost of a newspaper advertisement.

## **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 any proposed change to policies or financial decisions to charge the applicant relates only to commercial organisations.

## **9. Consultation**

- 9.1** The Council have received various representations from residents and Elected Members with regard to recent funfair events. In addition, there have been complaints made to officers from the public about certain firework events and live music events that have been licensed under a temporary licence. Officers have also looked at the national position with regard to such events.

## **10. Strategic Assessment**

In terms of the Council's Strategic Priorities, the purpose of licensing is to protect the welfare of the community, including vulnerable people. In addition, the strategic priorities of meaningful community engagement with active empowered and informed citizens who feel safe and engaged and Open, accountable and accessible local government are relevant to Member's considerations of any changes to notifications.

**Peter Hessett**

Strategic Lead - Regulatory

Date: 17/07/19

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**Appendices:** None.

**Background Papers:** None





## **NOT FOR PUBLICATION**

**by virtue of Paragraph 14 of Part 1 of Schedule 7A of  
the Local Government (Scotland) Act, 1973**

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