

## **WEST DUNBARTONSHIRE COUNCIL**

### **Report by the Head of Legal, Administrative and Regulatory Services**

#### **Licensing Committee – 6 December 2011**

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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 David Cassels, 7 Northfield Drive, Bonhill, G83 9BQ.

#### **2. Background**

- 2.1** Mr. Cassels submitted an application for grant of his temporary Taxi /Private Hire Car Driver's Licence to the Council on 15 April 2011.
- 2.2** A letter was received from the Chief Superintendent of the Police authority on 10 May 2011 advising that the Chief Constable had a representation to make in relation to the application.
- 2.3** Mr. Cassels attended a meeting of the Licensing Committee on 2 August 2011 where Members decided to grant him a temporary licence for a six week period. Members also decided that should Mr. Cassels apply for a full licence, the application for grant be referred to a future meeting of the Committee for consideration and the applicant be invited to attend the meeting.
- 2.4** Mr. Cassels submitted an application for grant of his Taxi/Private Hire Car Driver's Licence to the Council on 9 September 2011.
- 2.5** A letter was received from the Chief Superintendent of the Police authority on 17 October 2011 making a representation on behalf of the Chief Constable in relation to the application.

#### **3. Main Issues**

- 3.1** In view of the representation which has been 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 6 December 2011.
- 3.2** The letter from Strathclyde Police was received on 17 October 2011. 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 the application from Mr. Cassels was received on 9 September 2011, any representation should have been submitted by 7 October 2011. 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 on an application if the Licensing Authority is satisfied that there is

sufficient reason why the representation had not been made in the time required.

- 3.3** The terms of the letter from the Police will be made known to the Committee at the meeting as appropriate.

**4. People Implication**

- 4.1** There are no personnel issues.

**5. Financial Implications**

- 5.1** There are no financial implications.

**6. Risk Analysis**

- 6.1** There is no increased risk to the Council associated with the contents of this report.

**7. Equalities, Health & Humans Rights Impact Assessment**

- 7.1** No impact assessment is required because this report does not involve any change to policies or services or financial decisions.

**8. Strategic Assessment**

There are no strategic implications.

**9. Conclusions and Recommendations**

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

Head of Legal, Administrative and Regulatory Services

Date: 03/11/11

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**Appendices:** N/A.

**Background Papers:**

1. Application for grant of a Taxi /Private Hire Car Driver's Licence from David Cassels, 7 Northfield Drive, Bonhill, G83 9BQ.
2. Letter dated 12 October 2011 from the Chief Superintendent, Strathclyde Police, 'L' Divisional Headquarters, Stirling Road, Dumbarton.
3. Letter to Mr. Cassels dated 17 November 2011.
4. Letter to the Chief Superintendent dated 15 November 2011.

**Wards Affected:** N/A.