

Agenda



Special Meeting of Licensing Committee

Date: Monday, 7 January 2019

Time: 10:00

Venue: Civic Space, Council Offices, 16 Church Street, Dumbarton G82 1QL

Contact: Nuala Borthwick, Committee Officer
Tel: 01389 737594 nuala.borthwick@west-dunbarton.gov.uk

Dear Member

Please attend a special 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 John Mooney
Councillor Lawrence O'Neill
Councillor Brian Walker

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: 20 December 2018

LICENSING COMMITTEE

MONDAY, 7 JANUARY 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 APPLICATIONS FOR GRANT OF A TEMPORARY TAXI/ PRIVATE HIRE CAR DRIVER'S LICENCE 7 - 17

(a) Name and Address of Applicant

Date Applied

Mr Robert Cameron
6A Cumbrae Crescent
South Castlehill,
Dumbarton G82 5AP

26 October 2018

Submit report 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.

(b) Name and Address of Applicant

Date Applied

Mr Mark Shields
8 Quebec House
Clydebank
G81 4QP

23 October 2018

Submit report 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.

(c)/

(c)	<u>Name and Address of Applicant</u>	<u>Date Applied</u>
	Mr Scott Brownlie 12 Oxhill Place Dumbarton G82 4QU	9 November 2018
	Submit report 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.	

4 APPLICATION FOR GRANT OF A TEMPORARY PRIVATE HIRE CAR LICENCE 19 - 21

<u>Name and Address of Applicant</u>	<u>Date Applied</u>
Mr Scott Brownlie 12 Oxhill Place Dumbarton G82 4QU	9 November 2018

Submit report by the Strategic Lead – Regulatory concerning an Application for Grant of a Temporary Private Hire Car Licence by the above named person.

5 APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE 23 - 24

<u>Name and Address of Applicant</u>	<u>Date Applied</u>
Mr Gary Trainer 37 Roman Crescent Old Kilpatrick G60 5JX	14 November 2018

Submit report by the Strategic Lead – Regulatory concerning an Application for Grant of a Window Cleaner's Licence by the above named person.

6 EXCLUSION OF PRESS AND PUBLIC 25

The Committee is asked to pass the following resolution:-

"That under Section 50A(4) of the Local Government (Scotland) Act, 1973 the press and public be excluded from the meeting for the following items of business on the grounds that they may involve the likely disclosure of exempt information as defined in Paragraph 14 of Part 1 of Schedule 7A of the Act."

7 HEARING REGARDING POSSIBLE SUSPENSION OF A 27 - 30
TAXI DRIVER'S/PRIVATE HIRE CAR DRIVER'S LICENCE

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.

8 APPLICATION FOR RENEWAL OF A TAXI/PRIVATE 31 - 32
HIRE CAR DRIVER'S LICENCE

Name and Address of Applicant

Date Applied

Mr Steven Ordish
Address withheld

1 November 2018

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

WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Lead – Regulatory

Licensing Committee – 7 January 2019

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. Robert Cameron, 6A Cumbrae Crescent South, Castlehill, Dumbarton G82 5AP.

2. Recommendations

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

3. Background

- 3.1** Mr. Cameron submitted an application for grant of a temporary Taxi/Private Hire Car Driver's Licence to the Council on 26 October 2018.
- 3.2** A letter was received from the Chief Constable of the Police authority on 4 December 2018 submitting a comment in relation to the application.
- 3.3** A further letter received from the Chief Constable of the Police authority on 4 December 2018 details spent convictions in terms of the Rehabilitation of Offenders Act 1974.

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 January 2019.
- 4.2** It will be a matter for the Committee to decide whether the applicant's spent convictions should be disclosed and taken into consideration. It should be noted that spent convictions cannot be considered unless there is no other way of doing justice.
- 4.3** 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 13 December 2018

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

Appendices: N/A.

Background Papers:

- 1.** Application for grant of a temporary Taxi/Private Hire Car Driver's Licence from Mr. Robert Cameron, 6A Cumbrae Crescent South, Castlehill, Dumbarton G82 5AP.
- 2.** Letter dated 4 December 2018 from the Chief Constable, Police Scotland, 'L'

Divisional Headquarters, Stirling Road, Dumbarton G82 3PT.

3. Letter to Mr. Cameron dated 20 December 2018.

Wards Affected: N/A.

WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Lead – Regulatory

Licensing Committee – 7 January 2019

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. Mark Shields, 8 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 temporary Taxi/Private Hire Car Driver's Licence to the Council on 23 October 2018.
- 3.2** A letter was received from the Chief Constable of the Police authority on 28 November 2018 submitting a comment in relation to the application.
- 3.3** A further letter received from the Chief Constable of the Police authority on 28 November 2018 details spent convictions in terms of the Rehabilitation of Offenders Act 1974.

4. Main Issues

- 4.1** In view of the submissions 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 January 2019.
- 4.2** It will also be a matter for the Committee to decide whether the applicant's spent convictions should be disclosed and taken into consideration. It should be noted that spent convictions cannot be considered unless there is no other way of doing justice.
- 4.3** The terms of the letters 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.

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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, 8 Quebec House, Clydebank G81 4QP.
- 2.** Letters dated 28 November 2018 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton G82 3PT.
- 3.** Letter to Mr. Shields dated 20 December 2018.

Wards Affected: N/A.

WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Lead – Regulatory

Licensing Committee – 7 January 2019

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. Scott Brownlie, 12 Oxhill Place, Dumbarton G82 4QU.

2. Recommendations

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

3. Background

- 3.1** Mr. Brownlie submitted an application for grant of a temporary Taxi/Private Hire Car Driver's Licence to the Council on 9 November 2018.
- 3.2** A letter was received from the Chief Constable of the Police authority on 17 December 2018 submitting a comment in relation to the application.
- 3.3** A further letter received from the Chief Constable of the Police authority on 17 December 2018 details spent convictions in terms of the Rehabilitation of Offenders Act 1974.
- 3.4** At a meeting of the Committee held on 1 March 2017, Members decided to grant Mr. Brownlie a temporary Taxi/Private Hire Car Driver's Licence.
- 3.5** Mr. Brownlie subsequently applied for the full grant of a Taxi/Private Hire Car Driver's Licence and at the meeting of the Committee held on 14 June 2017, having considered the objection submitted by Police Scotland and having heard from Mr. Brownlie, Members refused the application. Mr. Brownlie subsequently appealed the decision of the Council but was unsuccessful as the Sheriff upheld the Committee's decision.

4. Main Issues

- 4.1** In view of the submissions 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 January 2019.
- 4.2** It will also be a matter for the Committee to decide whether the applicant's spent convictions should be disclosed and taken into consideration. It should be noted

that spent convictions cannot be considered unless there is no other way of doing justice.

- 4.3** The terms of the letters 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 18 December 2018

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

Appendices: N/A.

Background Papers:

1. Application for grant of a temporary Taxi/Private Hire Car Driver's Licence from Mr. Scott Brownlie, 12 Oxhill Place, Dumbarton G82 4QU.
2. Letters dated 17 December 2018 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton G82 3PT.
3. Letter to Mr. Brownlie dated 20 December 2018.

Wards Affected: N/A.

WEST DUNBARTONSHIRE COUNCIL

Report by Strategic Lead – Regulatory

Licensing Committee – 7 January 2019

Subject: Application for grant of a temporary Private Hire Car Licence

1. Purpose

- 1.1** To consider an application for grant of a temporary Private Hire Car Licence submitted by Mr. Scott Brownlie, 12 Oxhill Place, Dumbarton G82 4QU.

2. Recommendations

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

3. Background

- 3.1** Mr. Brownlie submitted an application for grant of a temporary Private Hire Car Licence to the Council on 9 November 2018.
- 3.2** A letter was received from the Chief Constable of the Police authority on 18 December 2018 submitting a comment in relation to the application.
- 3.3** A further letter received from the Chief Constable of the Police authority on 18 December 2018 details spent convictions in terms of the Rehabilitation of Offenders Act 1974.

4. Main Issues

- 4.1** In view of the submissions 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 January 2019.
- 4.2** It will also be a matter for the Committee to decide whether the applicant's spent convictions should be disclosed and taken into consideration. It should be noted that spent convictions cannot be considered unless there is no other way of doing justice.
- 4.3** The terms of the letters 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 18 December 2018

Person to Contact: Robert Mackie,
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Appendices: N/A.

Background Papers:

1. Application for grant of a temporary Private Hire Car Licence from Mr. Scott Brownlie, 12 Oxhill Place, Dumbarton G82 4QU.
2. Letters dated 18 December 2018 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton G82 3PT.
3. Letter to Mr. Brownlie dated 20 December 2018.

Wards Affected: N/A.

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

Subject: Application for grant of a Window Cleaner's Licence

1. Purpose

- 1.1** To consider an application for grant of a Window Cleaner's Licence submitted by Mr. Gary Trainer, 37 Roman Crescent, Old Kilpatrick G60 5JX.

2. Recommendations

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

3. Background

- 3.1** Mr. Trainer submitted an application for grant of a Window Cleaner's Licence to the Council on 14 November 2018.
- 3.2** A letter was received from the Chief Constable of the Police authority on 11 December 2018 submitting an objection in relation to the application.

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 January 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 13 December 2018

Person to Contact: Robert Mackie,
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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. Gary Trainer, 37 Roman Crescent, Old Kilpatrick G60 5JX.
- 2.** Letter dated 11 December 2018 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton G82 3PT.
- 3.** Letter to Mr. Trainer dated 20 December 2018.

Wards Affected: N/A.



NOT FOR PUBLICATION

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

**ANY ACTION TAKEN OR TO BE TAKEN IN
CONNECTION WITH THE PREVENTION,
INVESTIGATION OR PROSECUTION OF CRIME**

Members are reminded that this document must be disposed of properly using a cross shredder or by returning the complete document to Members' Secretaries.

