

WEST DUNBARTONSHIRE COUNCIL
Report by Strategic Lead – Regulatory
Licensing Committee – 5 February 2020

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. 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 Taxi/Private Hire Car Driver's Licence to the Council on 4 December 2019.
- 3.2** A letter was received from the Chief Constable of the Police authority on 30 December 2019 submitting an objection in relation to the application.
- 3.3** A further letter received from the Chief Constable of the Police authority on 30 December 2019 details a number of convictions regarded as protected 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.
- 3.6** Mr. Brownlie subsequently attended a meeting of the Licensing Committee on 20 February 2019 where a hearing was held to determine an application for the grant of a temporary Taxi Driver's/Private Hire Car Driver's Licence having received a comment from Police Scotland. Having heard from the Police, Members decided to refuse 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 5 February 2020.

4.2 It will also 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 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 22 January 2020

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Appendices: N/A.

Background Papers:

1. Application for grant of a Taxi/Private Hire Car Driver's Licence from Mr. Scott Brownlie, 12 Oxhill Place, Dumbarton, G82 4QU.
2. Letters dated 30 December 2019 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton.
3. Letter to Mr. Brownlie dated 22 January 2020.

Wards Affected: N/A.