

Agenda



Meeting of Licensing Committee

Date: Wednesday, 19 October 2016

Time: 14:00

Venue: Committee Room 3, Council Offices, Garshake Road,
Dumbarton

Contact: Nuala Borthwick, Committee Officer
Tel: 01389 737594 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 Lawrence O'Neill (Chair)
Councillor Jim Brown
Councillor Jim Finn
Provost Douglas McAllister (Vice Chair)
Councillor Jonathan McColl
Councillor John Mooney
Councillor Tommy Rainey
Councillor Hazel Sorrell

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: 6 October 2016

LICENSING COMMITTEE

WEDNESDAY, 19 OCTOBER 2016

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 MEETINGS 5 - 21

Submit for approval as correct records:-

- (a) Minutes of Meeting of the Licensing Committee held on 10 August 2016;
- (b) Minutes of Special Meeting of the Licensing Committee held on 31 August 2016; and
- (c) Minutes of Special Meeting of the Licensing Committee held on 21 September 2016.

4 APPLICATION FOR GRANT OF A TEMPORARY TAXI DRIVER'S/PRIVATE HIRE CARE LICENCE 23 - 25

Submit report by the Strategic Lead – Regulatory concerning an application for Grant of a temporary Taxi Driver's/Private Hire Car Driver's Licence submitted by Mrs Fiona Sweeney, 48 Cherry Crescent, Clydebank G81 3JA.

5 APPLICATION FOR RENEWAL OF A TAXI DRIVER'S LICENCE 27 - 28

Submit report by the Strategic Lead – Regulatory concerning an application for Renewal of a Taxi Driver's Licence submitted by Mr Peter McCrossan, 34 Dumbaie Avenue, Silverton, Dumbarton G82 2JQ.

LICENSING COMMITTEE

At a Meeting of the Licensing Committee held in the Council Chamber, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday, 10 August 2016 at 10.00 a.m.

Present: Provost Douglas McAllister and Councillors Jim Brown, Jim Finn, Jonathan McColl*, John Mooney, Lawrence O'Neill, Tommy Rainey and Hazel Sorrell.

* Arrived later in the meeting.

Attending: Raymond Lynch, Section Head (Licensing); Peter Clyde and Lawrence Knighton, Licensing Standards Officers and Nuala Borthwick, Committee Officer - Regulatory.

Councillor Lawrence O'Neill 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

The following Minutes of Previous Meetings were submitted and approved as correct records:-

- (1) Minutes of Meeting of the Licensing Committee held on 8 June 2016; and
- (2) Minutes of Special Meeting of the Licensing Committee held on 22 June 2016.

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

Name and Address of Applicant

Date Applied

William Sweeney
48 Cherry Crescent
Clydebank
G81 3JA

26 May 2016

A report was submitted by the Strategic Lead – Regulatory concerning an application for grant of a Taxi/Private Hire Car Driver's Licence by the above named person.

Having heard the Section Head (Licensing), it was noted:-

- (a) that when Mr Sweeney applied for grant of a temporary Taxi/Private Hire Car Driver's Licence on 26 February 2016, a letter was received from the Chief Superintendent of the Police authority making comments in relation to the application. After a hearing at the meeting of the Committee on 20 April 2016, it was agreed that the application be granted and should the applicant submit an application for the grant of a Taxi/Private Hire Car Driver's Licence, the application would be referred to the Committee for consideration and the applicant would be invited to appear before the Committee in this connection;
- (b) that, in accordance with the aforementioned decision of the Committee, the applicant had been invited to attend this meeting of the Committee; and
- (c) that there was no objection or representation from Police Scotland.

It was noted that the applicant was in attendance at the meeting.

DECIDED: After consideration, the Committee agreed that the application be granted for a period of one year.

Note: Councillor McColl entered the meeting during the undernoted item of business and took no part in consideration of the application.

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

Name and Address of Applicant

Date Applied

Lindsay Morgan
48 Wood Quadrant
Whitecrook
Clydebank
G81 1AP

15 June 2016

A report was submitted by the Strategic Lead – Regulatory concerning an application for grant of a Taxi/Private Hire Car Driver's Licence by the above named person.

Having heard the Section Head (Licensing), 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 that had been received from the Police authority, the applicant and a representative of the Police authority had been invited to attend the meeting in order that a hearing may take place;

- (c) that copies of the letter of objection from the Police authority dated 27 June 2016 had been issued to Members of the Committee in advance of the meeting;
- (d) that a separate letter had been received from the Police authority detailing a number of convictions of the applicant that were considered “spent” in terms of the Rehabilitation of Offenders Act 1974 and that it was for the Committee to decide whether or not the letter detailing the spent convictions should be disclosed and taken into consideration; and
- (e) that the applicant and a representative of the Police authority, Constable Brown, were in attendance.

Having heard the Section Head (Licensing) with regard to the age, degree of seriousness and relevance of the spent convictions, the Committee agreed that the letter from the Police authority detailing the spent convictions should be circulated and taken into account. Copies of the letter containing the spent convictions were accordingly circulated to Members of the Committee.

The Committee then heard from Constable Brown in relation to both letters from the Police authority.

Miss Morgan was then given the opportunity to address the Committee in support of the application and in connection with the circumstances relating to the matters detailed in the Police letters. Thereafter Miss Morgan answered questions from Members.

DECIDED: Following consideration, the Committee agreed that the application be refused on the grounds that the application was not a fit and proper person to be the holder of a Taxi/Private Hire Car Driver’s Licence.

APPLICATION FOR GRANT OF A TAXI/PRIVATE HIRE CAR DRIVER’S LICENCE

Name and Address of Applicant

Date Applied

Paul Edmonds
18 Silkin Avenue
Linnvale
Clydebank
G81 2RD

15 June 2016

A report was submitted by the Strategic Lead – Regulatory concerning an application for grant of a Taxi/Private Hire Car Driver’s Licence by the above named person.

Having heard the Section Head (Licensing), 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 that had been received from the Police authority, the applicant and a representative of the Police authority had been invited to attend the meeting in order that a hearing may take place;
- (c) that copies of the letter of objection from the Police authority dated 27 June 2016 had been issued to Members of the Committee in advance of the meeting;
- (d) that a separate letter had been received from the Police authority detailing a number of convictions of the applicant that were considered “spent” in terms of the Rehabilitation of Offenders Act 1974 and that it was for the Committee to decide whether or not the letter detailing the spent convictions should be disclosed and taken into consideration; and
- (e) that the applicant and a representative of the Police authority, Constable Brown, were in attendance.

Having heard the Section Head (Licensing) with regard to the age, degree of seriousness and relevance of the spent convictions, the Committee agreed that the letter from the Police authority detailing the spent convictions should be circulated and taken into account. Copies of the letter containing the spent convictions were accordingly circulated to Members of the Committee.

The Committee then heard from Constable Brown in relation to both letters from the Police authority.

Mr Edmonds was then given the opportunity to address the Committee in support of the application and in connection with the circumstances relating to the matters detailed in the Police letters. Thereafter Mr Edmonds answered questions from Members.

DECIDED: Following consideration, the Committee agreed that the application be refused on the grounds that the application was not a fit and proper person to be the holder of a Taxi/Private Hire Car Driver’s Licence.

APPLICATION FOR GRANT OF A TEMPORARY TAXI/PRIVATE HIRE CAR DRIVER’S LICENCE

Name and Address of Applicant

Date Applied

Paul Jones
8A McNeil Avenue
Linnvale
Clydebank
G81 2SU

24 May 2016

A report was submitted by the Strategic Lead – Regulatory concerning an application for grant of a Taxi/Private Hire Car Driver’s Licence by the above named person.

Having heard the Section Head (Licensing), it was noted:-

- (a) that a letter had been received from the Chief Superintendent of the Police authority in relation to the application;
- (b) that in view of the letter from the Police authority, the applicant and a representative of the Police authority had been invited to attend the meeting in order that a hearing may take place;
- (c) that copies of the letter from the Police authority dated 20 June 2016 had been issued to Members of the Committee in advance of the meeting; and
- (d) that the applicant and a representative of the Police authority, Constable Brown, were in attendance.

The Committee then heard from Constable Brown in relation to the letter from the Police authority.

Mr Jones was then given the opportunity to address the Committee in support of the application and in connection with the circumstances relating to the matters detailed in the Police letter. Thereafter Mr Jones answered questions from Members.

DECIDED: Following consideration, the Committee agreed that the application be granted for a period of 6 weeks.

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

Name and Address of Applicant

Date Applied

James Johnston
5 Lusset Glen
Old Kilpatrick
G60 5DD

24 May 2016

A report was submitted by the Strategic Lead – Regulatory concerning an application for renewal of a Taxi/Private Hire Car Driver's Licence by the above named person.

Having heard the Section Head (Licensing), it was noted:-

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

- (c) that copies of the letter from the Police authority containing the representation had been issued to members of the Committee in advance of the meeting.

It was noted that the applicant and a representative of the Police authority, Constable Brown, were in attendance.

The Committee then heard from Constable Brown in relation to the representation and in answer to Members' questions. Mr Johnston was then given the opportunity to address the Committee in support of the application and in connection with the matters detailed in the Police letter.

DECIDED:- After consideration, the Committee agreed that the application be granted.

PROPOSED AMENDMENTS TO SECOND HAND CAR DEALER'S LICENCE CONDITIONS

A report was submitted by the Strategic Lead – Regulatory seeking approval of the proposed amendments to existing conditions attached to Second Hand Car Dealer licences.

DECIDED:-

After discussion and having heard the Licensing Standards Officer in further explanation of the report and in answer to members' questions, the Committee agreed that the proposed changes to the conditions, as described in Appendix 1 of the report, be approved.

EXCLUSION OF PRESS AND PUBLIC

The Committee passed 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 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."

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

Name and Address of Applicant

Date Applied

Colin Hilton
11 Spencer Street
Clydebank
G81 3AT

30 June 2016

A report was submitted by the Strategic Lead – Regulatory concerning an application for grant of a Taxi/Private Hire Car Driver's Licence by the above named person.

Having heard the Section Head (Licensing), it was noted:-

- (a) that a letter of objection had been received from the Chief Constable of the Police authority in relation to the application;
- (b) that in view of the objection which had been received from the Police, the applicant and a representative of the Police authority had been invited to attend the meeting in order that a hearing may take place; and
- (c) that copies of the letter from the Police authority containing the objection had been issued to Members of the Committee in advance of the meeting.

It was noted that the applicant and a representative of the Police authority, Constable Brown, were in attendance.

The Committee then heard from Constable Brown in relation to the objection submitted by the Police authority.

The applicant, Mr Hilton, was then given the opportunity to address the Committee in support of his application and be heard in answer to questions from Members.

DECIDED:

Following consideration, the Committee agreed:-

- (1) that the application be refused on the grounds that the applicant was not a fit and proper person to be the holder of a Taxi Driver/Private Hire Car Driver's Licence given the pending case against him; and
- (2) that in terms of Paragraph 6, Schedule 1 of the Civic Government (Scotland) Act 1982 the applicant could re-apply for a taxi licence within 12 months should he be acquitted in the pending case against him during that period.

Note: Members of the public gallery re-entered the meeting at this point.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982 PART V – PUBLIC PROCESSIONS - POLICE, PUBLIC ORDER AND CRIMINAL JUSTICE (SCOTLAND) ACT 2006 - NOTICE OF PROPOSAL TO HOLD A PUBLIC PROCESSION: INDEPENDENT REPUBLICAN BANDS SCOTLAND – CLYDEBANK

A report was submitted by the Strategic Lead – Regulatory concerning a Notice of Proposal to hold a Public Procession in Clydebank on Saturday, 13 August 2016 as requested by Mr Brian Keenan on behalf of the Independent Republican Bands Scotland (IRBS).

Having heard the Section Head (Licensing), it was noted:-

- (a) that a Notice of Proposal and risk assessment had been submitted by Mr Brian Keenan on behalf of IRBS on 15 July 2016;
- (b) that Inspector John Mullen and Sergeant Calum Fulton were in attendance on behalf of the Chief Constable, Police Scotland and that the applicant, IRBS, was represented by Mr Brian Keenan, Organiser;
- (c) that a precursory meeting had been held on 27 July 2016 and had been attended by the Mr Knighton, Licensing Standards Officer, West Dunbartonshire Council, Sergeant Fulton, Police Scotland and Mr Keenan of IRBS;
- (d) that, as per previous applications by IRBS concerning the same route, at the precursory meeting on 27 July 2016, Police Scotland had again advised that they were of the view that the route applied for was contrary to Condition 11 of the Council's Code of Conduct, and argued that by travelling along Second Avenue, a significant part of the procession would involve passing through a residential area;
- (e) that Members may again wish to consider whether they regarded the route proposed by IRBS, principally the section of the route on Second Avenue, as being a main route in terms of the Code of Conduct and whether they considered Second Avenue to be classed as a residential housing development; and
- (f) that a copy of the Procession Summary by Police Scotland was distributed to Members of the Committee.

Thereafter, the Committee heard from Inspector Mullen, who advised that Police Scotland had no objection to the procession taking place but were of the view that the route proposed by the applicant contravened Condition 11 of the Council's Code of Conduct. It was noted that the route proposed by Police Scotland did not pass through a residential housing development and therefore did not carry a high risk of disruption to the community. It was noted that the route proposed by Police Scotland had proven to work on several previous occasions.

Thereafter, the Committee heard from Mr Keenan, nominated spokesperson for the applicant, in support of the Notice of Proposal and in answer to Members' questions. It was noted that Mr Keenan was given several opportunities to amend the applicant's proposed route to that suggested by Police Scotland but declined to do so.

DECIDED:-

Following discussion and having heard both Inspector Mullen and Mr Keenan in answer to questions from Members, the Committee agreed to make an Order under Section 63(1)(i) of the Civic Government (Scotland) Act 1982 prohibiting the holding of the public procession. The reason for the Order was that a significant section of

the proposed route would be through residential areas in Clydebank and therefore would be in contravention of the Council's Code of Conduct.

The meeting closed at 11.05 a.m.

DRAFT

LICENSING COMMITTEE

At a Special Meeting of the Licensing Committee held in the Council Chamber, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday, 31 August 2016 at 1.00 p.m.

Present: Provost Douglas McAllister and Councillors Jim Brown, Jim Finn, Jonathan McColl, John Mooney, Lawrence O'Neill, Tommy Rainey and Hazel Sorrell.

Attending: Nigel Ettles, Principal Solicitor; Robert Mackie, Senior Officer (Licensing Services); Peter Clyde, Licensing Standards Officers and Nuala Borthwick, Committee Officer - Regulatory Services.

Councillor Lawrence O'Neill in the Chair

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in the item of business on the agenda.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982 PART V – PUBLIC PROCESSIONS - POLICE, PUBLIC ORDER AND CRIMINAL JUSTICE (SCOTLAND) ACT 2006 - NOTICE OF PROPOSAL TO HOLD A PUBLIC PROCESSION: INDEPENDENT REPUBLICAN BANDS SCOTLAND - CLYDEBANK

A report was submitted by the Strategic Lead – Regulatory concerning a Notice of Proposal to hold a Public Procession in Clydebank on Saturday, 10 September 2016 as requested by Mr Brian Keenan on behalf of the Independent Republican Bands Scotland (IRBS).

Having heard the Principal Solicitor, it was noted:-

- (a) that a Notice of Proposal and risk assessment had been submitted by Mr Brian Keenan on behalf of IRBS on 10 August 2016;
- (b) that the reason for the procession, as stated in the notice of proposal, was a Human Rights march;
- (c) that Inspector John Mullen and Constable Scott Millar were in attendance on behalf of the Chief Constable, Police Scotland and that the applicant, IRBS, was represented by Mr Brian Keenan, Organiser;

- (d) that a precursory meeting had been held on 19 August 2016 and had been attended by Mr Robert Mackie, Senior Officer (Licensing Services), West Dunbartonshire Council, Sergeant Fulton, Police Scotland and that the applicant, IRBS, was represented by Mr James John Docherty, Member of IRBS and Matt Smith, Chief Steward, IRBS;
- (e) that the route, as per previous applications by IRBS for the Clydebank area, requested that the procession commence at Morar Road, then south on Kilbowie Road, then west on Second Avenue with its continuation on Park Road, then south on Duntocher Road, then east on Dumbarton Road, then south on Agamemnon Street, then east on Cable Depot Road for dispersal;
- (f) that a copy of the Procession Summary by Police Scotland had been distributed to Members of the Committee in advance of the meeting;
- (g) that an objection to the application, submitted by Mr Kris McGurk, Chairman, Regimental Blues, had been distributed to members in advance of the meeting and that Mr McGurk was in attendance at the meeting on behalf of Regimental Blues; and
- (h) that, as per previous applications submitted by IRBS concerning the same route, members may again wish to consider whether they regard the route proposed by IRBS, principally the section of the route on Second Avenue, as being a main road in terms of the Code of Conduct and whether they consider Second Avenue to be classed as a residential housing development.

The Committee then heard from Mr Mackie in relation to the precursory meeting held on 19 August 2016. It was noted that the date of the procession coincided with a Celtic v Rangers match however it was confirmed that the date had been scheduled in January 2016 which was well in advance of the scheduling of football fixtures. It was further noted that discussions took place regarding the proposed route with IRBS referring to a previous procession in 2014 where another organisation had marched down Second Avenue. It was explained to the IRBS representatives at the precursory meeting that the procession in 2014 had been a Clydebank Blitz Memorial procession and in order to facilitate the laying of the wreath at the Memorial in Graham Avenue, the procession was allowed to march on Second Avenue between First Terrace and Singer Street only. It was explained that this route was a much reduced route to that applied for by the organisation in order to facilitate the wreath laying and to minimise disruption to the local community. At the precursory meeting on 19 August, the IRBS representatives position remained that because another organisation had previously marched on Second Avenue, they too should be given permission and any refusal was due to discrimination. The IRBS were advised of Police Scotland's preferred route that being Kilbowie Road, Dumbarton Road, Agamemnon Street, Cable Depot Road however they refused to accept this route and asked that the matter be referred to the Licensing Committee.

Thereafter, the Committee heard from Mr McGurk in relation to the objection submitted by the Regimental Blues. Thereafter, Mr McGurk was heard in answer to Members' questions.

The Committee then heard from Inspector Mullen on behalf of Police Scotland who advised that Police Scotland's position in relation to the proposed route remained unchanged from that of previous applications given that the route proposed by IRBS was contrary to Condition 11 of the Council's Code of Conduct given that it would pass through a residential housing development and therefore there was a high risk of disruption to the community. It was noted that the route preferred by Police Scotland was a well-established route for marches and one that Police Scotland were able to resource. It was also noted that notwithstanding a major football match in Dumbarton and the deployment of Police resource to the Celtic v Rangers game in Glasgow on 10 September, Police Scotland would be able to provide resources for that route.

Thereafter, the Committee heard from Mr Keenan, nominated spokesperson for the IRBS, who addressed the Committee in support of the application. Mr Keenan referred to the outcome of a criminal case which had been quoted in previous letters from Police Scotland relating to applications submitted by IRBS and advised that a person making a speech at a previous march by IRBS in April 2015, had recently been found 'not guilty' in relation to a charge of breach of the peace. In response Inspector Mullen advised the Committee that the person had been tried on a different crime to the one originally charged with at the march and that Police Scotland were unable to provide any further information relating to the case.

It was noted that Mr Keenan was given two attempts to amend the applicant's proposed route to that suggested by Police Scotland but again chose not to amend the application.

Having heard Inspector Mullen, it was noted that at the precursory meeting, representatives of IRBS would not consider an alternative route that did not involve marching on Second Avenue.

DECIDED:-

Following discussion, and having heard Mr Keenan in answer to questions from Members, the Committee agreed to make an Order under Section 63(1)(i) of the Civic Government (Scotland) Act 1982 prohibiting the holding of the proposed procession. The reasons for the Order were, firstly, a significant section of the proposed route would be through predominantly residential areas and therefore would be in contravention of the Council's Code of Conduct. As the proposed route would go through residential developments, it would result in a high risk of disruption to the life of the community. Secondly, the proposed date and time of the procession would, because of the scheduled football matches, result in a greater likelihood of disruption to the life of the community.

The meeting closed at 1.35 p.m.

LICENSING COMMITTEE

At a Special Meeting of the Licensing Committee held in the Committee Room 3, Council Offices, Garshake Road, Dumbarton on Wednesday, 21 September 2016 at 12.30 p.m.

Present: Councillors Jim Brown, Jim Finn, Jonathan McColl, John Mooney, Lawrence O'Neill, Tommy Rainey and Hazel Sorrell.

Attending: Raymond Lynch, Section Head (Legal); Peter Clyde, Licensing Standards Officers and Nuala Borthwick, Committee Officer.

Apologies: An apology for absence was intimated on behalf of Provost Douglas McAllister.

Councillor Lawrence O'Neill in the Chair

DECLARATIONS OF INTEREST

It was noted that there were no declarations of interest in the item of business on the agenda.

ADJOURNMENT

Having heard the Chair, Councillor O'Neill, the Committee agreed to adjourn for a short period to enable the applicant to appear before the Committee.

The meeting resumed at 12.38 p.m. with the applicant and all members listed in the sederunt in attendance.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982 PART V – PUBLIC PROCESSIONS - POLICE, PUBLIC ORDER AND CRIMINAL JUSTICE (SCOTLAND) ACT 2006 - NOTICE OF PROPOSAL TO HOLD A PUBLIC PROCESSION: INDEPENDENT REPUBLICAN BANDS SCOTLAND - CLYDEBANK

A report was submitted by the Strategic Lead – Regulatory concerning a Notice of Proposal to hold a Public Procession in Clydebank on Saturday, 1 October 2016 as requested by Mr Brian Keenan on behalf of the Independent Republican Bands Scotland (IRBS).

Having heard the Section Head (Legal), it was noted:-

- (a) that a Notice of Proposal and risk assessment had been submitted by Mr Brian Keenan on behalf of IRBS on 31 August 2016;
- (b) that the reason for the procession, as stated in the notice of proposal, was an Equality March;
- (c) that Inspector David Quinn and Sergeant Calum Fulton were in attendance on behalf of the Chief Constable, Police Scotland and that the applicant, IRBS, was represented by Mr Brian Keenan, Organiser;
- (d) that a precursory meeting had been held on 14 September 2016 and attendees included Mr Peter Clyde, Licensing Standards Officer, West Dunbartonshire Council, Sergeant Fulton, Police Scotland and that the applicant, IRBS, was represented by Mr Brian Keenan, IRBS;
- (e) that the route, as stated in the notice of proposal, requested that the procession commence at Morar Road, then left on to Kilbowie Road, then right onto Hawthorn Street, then left onto Janetta Street, then left onto Second Avenue, left onto Singer Street, right onto Crown Avenue, right onto Graham Avenue, right onto Kilbowie Road, left into Glasgow Road, then right into Cart Street for dispersal;
- (f) that a copy of the Procession Summary by Police Scotland had been distributed to the applicant and Members of the Committee in advance of the meeting; and
- (g) that an objection to the application, submitted by Mr Kris McGurk, Chairman, Regimental Blues, had been received outwith the 14 day period for submitting objections and it was therefore for the Committee to decide on whether to hear the objection.

Following discussion on whether to consider the letter of objection and having heard from Mr Keenan on the matter, it was agreed that the objection would not be considered by the Committee.

The Committee then heard from Inspector Quinn on behalf of Police Scotland who addressed the Committee in relation to the proposed route advising that a significant section of the proposed route would pass through predominantly residential areas of Clydebank and was therefore in contravention of Condition 11 of the Council's Code of Conduct for Public Processions. It was noted that the applicant had refused to enter into discussions on any alternative route which did not include Second Avenue, Clydebank.

Thereafter, the Committee heard from Mr Keenan, nominated spokesperson for the IRBS, who addressed the Committee in support of the application. Mr Keenan advised that the proposed route was a different route to that applied for on previous occasions and referred to other organisations marching on the same route in previous years and therefore questioned why it was not suitable for IRBS on this

occasion.

DECIDED:-

Following discussion and having heard Mr Keenan in answer to Members' questions, the Committee agreed to make an Order under Section 63(1)(i) of the Civic Government (Scotland) Act 1982 prohibiting the holding of the proposed procession. The reason for the Order was that a significant section of the proposed route would be through residential areas in Clydebank and therefore would be in contravention of Condition 11 of the Council's Code of Conduct given that there was a high risk of disruption to the local community.

The meeting closed at 12.56 p.m.

WEST DUNBARTONSHIRE COUNCIL
Report by Strategic Lead – Regulatory
Licensing Committee – 19 October 2016

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

1. Purpose

- 1.1** To consider an application for grant of a temporary Taxi Driver's/Private Hire Car Driver's Licence submitted by Mrs. Fiona Sweeney, 48 Cherry Crescent, Clydebank, G81 3JA.

2. Recommendations

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

3. Background

- 3.1** Mrs. Sweeney submitted an application for grant of a temporary Taxi Driver's/Private Hire Car Driver's Licence to the Council on 12 September 2016.
- 3.2** A letter was received from the Chief Superintendent of the Police authority on 19 September 2016 supplying information for consideration by the Committee.
- 3.3** Mrs. Sweeney has previously held a Taxi Driver's/Private Hire Car Driver's Licence. At a meeting of the Licensing Committee held on 11 June 2014 the licence was suspended following a letter being received from the Chief Constable of Police Scotland requesting the suspension of the licence.
- 3.4** Mrs. Sweeney has since applied on two occasions for the grant of a temporary Taxi Driver's/Private Hire Car Driver's Licence. At meetings of the Licensing Committee held on both 3 December 2014 and 10 June 2015, the application was refused on the ground that Mrs. Sweeney was not a fit and proper person to be the holder of a temporary Taxi Driver's/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 19 October 2016.
- 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 23/09/16

Person to Contact: Robert Mackie,
Senior Officer (Licensing Services),
Licensing Team,
Garshake Road,
Dumbarton,
G82 3PU.

Tel. No. (Direct line) 01389 738742.
robert.mackie@west-dunbarton.gov.uk

Appendices: N/A.

Background Papers:

1. Application for grant of temporary Taxi Driver's Licence from Mrs. Fiona Sweeney, 48 Cherry Crescent, Clydebank, G81 3JA.
2. Letter dated 19 September 2016 from the Chief Superintendent, Police

Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton.

3. Letter to Mrs. Sweeney dated 19 September 2016.
4. Letter to the Chief Superintendent dated 2 October 2016.

Wards Affected: N/A.

WEST DUNBARTONSHIRE COUNCIL
Report by Strategic Lead – Regulatory
Licensing Committee – 19 October 2016

Subject: Application for renewal of 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. Peter McCrossan, 34 Dumbuie Avenue, Silverton, Dumbarton, G82 2JQ.

2. Recommendations

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

3. Background

- 3.1** Mr. McCrossan submitted an application for renewal of a Taxi/Private Hire Car Driver's Licence to the Council on 8 September 2016.
- 3.2** A letter was received from the Chief Superintendent of the Police authority on 27 September 2016 advising that the Chief Constable has a representation to make in relation to the application.

4. Main Issues

- 4.1** In view of the representation 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 19 October 2016.
- 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 30/09/2016

Person to Contact: Robert Mackie,
Senior Officer (Licensing Services),
Licensing Team,
Garshake Road,
Dumbarton,
G82 3PU.

Tel. No. (Direct line) 01389 738742.
robert.mackie@west-dunbarton.gov.uk

Appendices: N/A.

Background Papers:

- 1.** Application for renewal of Taxi Driver's/Private Hire Car Driver's Licence from Mr. Peter McCrossan, 34 Dumbuie Avenue, Silverton, Dumbarton, G82 2JQ.
- 2.** Letter dated 27 September 2016 from the Chief Superintendent, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton.
- 3.** Letter to Mr. McCrossan dated 03/10/2016.
- 4.** Letter to Chief Superintendent dated 03/10/2016.

Wards Affected: N/A.