

# Agenda

## Licensing Committee

**Date:** Wednesday, 7 December 2022

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**Time:** 14:00

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**Venue:** Council Chambers, Clydebank Town Hall,  
5 Hall Street, Clydebank, G81 2LB

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**Contact:** Lynn Straker, Committee Officer  
Email: [lynn.straker@west-dunbarton.gov.uk](mailto:lynn.straker@west-dunbarton.gov.uk)

Dear Member,

Please attend a meeting of **Licensing Committee** as detailed above.

The business is shown on the attached agenda.

Yours faithfully

**PETER HESSETT**

Chief Executive

**Distribution:**

Councillor Ian Dickson  
Councillor Diane Docherty  
Councillor June McKay  
Councillor John Millar  
Councillor Lawrence O'Neill  
Councillor Chris Pollock  
Councillor Gurpreet Singh Johal  
Councillor Hazel Sorrell

All other Councillors for information.  
Chief Officer – Regulatory and Regeneration

Date issued: 22 November 2022

## **LICENSING COMMITTEE**

**WEDNESDAY, 7 DECEMBER 2022**

### **AGENDA**

**1 APOLOGIES**

**2 DECLARATIONS OF INTEREST**

Members are invited to declare if they have an interest in any of the items of business on this agenda and the reasons for such declarations.

**3 MINUTES OF PREVIOUS MEETING 5 - 6**

Submit for approval, as a correct record, the Minutes of the Licensing Committee meeting held on 12 October 2022.

**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 7 - 10**

Submit report by the Chief Officer – Regulatory and Regeneration concerning an application for renewal of a Taxi/Private Hire Car Driver's Licence submitted by Mr. James McCallum, 12 Long Crag View, Dumbarton G82 3DL.

**6 APPLICATION FOR GRANT OF A TAXI / PRIVATE HIRE CAR DRIVER'S LICENCE 11 - 14**

Submit report by the Chief Officer – Regulatory and Regeneration concerning an application for grant of a Taxi/Private Hire Car Driver's Licence submitted by Mr. Robert Young, 129 Melbourne Avenue, Clydebank G81 4QB.

**7      APPLICATION FOR GRANT OF A HOUSE IN MULTIPLE      15 - 17**  
**OCCUPANCY LICENCE**

Submit report by the Chief Officer – Regulatory and Regeneration concerning an application for grant of a House in Multiple Occupancy Licence submitted by Mr. Mushtaq Yusaf, The Oval, Clarkston, Glasgow G76 8LY.

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**LICENSING COMMITTEE**

At a Meeting of the Licensing Committee held in the Council Chamber, Clydebank Town Hall, 5 Hall Street, Clydebank on Wednesday, 12 October 2022 at 2.00 p.m.

**Present:** Councillors Ian Dickson, Diane Docherty, Gurpreet Singh Johal, June McKay, Lawrence O'Neill, Chris Pollock and Hazel Sorrell.

**Attending:** Michael McDougall, Section Head - Licensing; Robert Mackie, Senior Officer (Licensing Services), Sergeant David Holmes, Police Scotland and Nicola Moorcroft, Committee Officer.

**Apology:** An apology for absence was intimated on behalf of Councillor John Millar.

**Councillor Lawrence O'Neill in 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 MEETING**

The Minutes of Special Meeting of the Licensing Committee held on 13 September 2022 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.

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

A report was submitted by the Chief Officer – Regulatory and Regeneration asking Members to consider an application for renewal of a Taxi/Private Hire Car Driver's Licence submitted by Mr. James McCallum, 12 Long Craggs View, Dumbarton, G82 3DL.

The applicant was unable to attend the meeting and formally submitted their request for a continuation of the hearing at a later date. After discussion, and having heard from the Section Head – Licensing, the Committee agreed for the hearing to be continued to the next meeting of the Licensing Committee on Wednesday, 7 December 2022 at 2.00 p.m.

The meeting closed at 2.03 p.m.

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## WEST DUNBARTONSHIRE COUNCIL

### Report by Chief Officer – Regulatory & Regeneration

#### Licensing Committee – 7 December 2022

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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. James McCallum, 12 Long Crags View, Dumbarton G82 3DL.

#### **2. Recommendations**

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

#### **3. Background**

- 3.1** Mr. McCallum submitted an application for grant of a Taxi/Private Hire Car Driver's Licence to the Council on 13 July 2022.
- 3.2** A letter was received from the Chief Constable of the Police authority on 30 August 2022 advising that the Police were unable to submit their response to the application within the statutory 28 day timescale due to matters concerning the applicant which required further monitoring.
- 3.3** A further letter was received from the Chief Constable of the Police authority on 30 August 2022 submitting an objection to the application.
- 3.4** 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. McCallum's application was received on 13 July 2022, any objection should have been submitted by 10 August 2022. 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. The Licensing Authority must be satisfied that there is sufficient reason why the objection had not been submitted in the time required having heard from the applicant and the Chief Constable's representative.
- 3.5** At the meeting of the Licensing Committee held on 12 October 2022, Members decided to continue the application until the 7 December 2022 as the applicant was unable to attend the meeting and had formally submitted a request for a continuation of the 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 December 2022.

**4.2** The terms of the letter containing the objection from the Police will be made known to the Committee at the meeting should Members determine to entertain the late objection.

## **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.

Chief Officer – Regulatory & Regeneration

Date 16 November 2022

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

**Background Papers:**

1. Application for grant of a Taxi/Private Hire Car Driver's Licence submitted by Mr. James McCallum, 12 Long Crag View, Dumbarton G82 3DL.
2. Letters dated 30 August 2022 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton.
3. Letter to Mr. McCallum dated 18 November 2022.

**Wards Affected:** N/A.



## WEST DUNBARTONSHIRE COUNCIL

### Report by Chief Officer – Regulatory & Regeneration

#### Licensing Committee – 7 December 2022

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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. Robert Young, 129 Melbourne Avenue, Clydebank G81 4QB.

#### **2. Recommendations**

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

#### **3. Background**

- 3.1** Mr. Young submitted an application for grant of a Taxi/Private Hire Car Driver's Licence to the Council on 18 October 2022.
- 3.2** A letter was received from the Chief Constable of the Police authority on 14 November 2022 submitting an objection in connection with the application.
- 3.3** A further letter was received from the Chief Constable of the Police authority on 14 November 2022 detailing a number of convictions deemed as 'protected' under the Rehabilitation of Offenders Act 1974.
- 3.4** Mr. Young previously held a Taxi/Private Hire Car Driver's Licence with West Dunbartonshire Council from September 2015 until September 2019.

#### **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 December 2022.
- 4.2** The letter received from Police Scotland contains details of matters that are considered 'protected' in terms of the Rehabilitation Of Offenders Act 1974. These details will only be submitted to Members of the Committee should they determine that justice cannot be done in this case except by admitting these details.
- 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.

Chief Officer – Regulatory & Regeneration

Date 16 November 2022

**Person to Contact:** Robert Mackie,  
Senior Officer (Licensing Services),  
Licensing Team,  
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**Appendices:** N/A.

**Background Papers:**

**1.** Application for grant of a Taxi/Private Hire Car Driver's Licence submitted by Mr. Robert Young, 129 Melbourne Avenue, Clydebank G81 4QB.

2. Letters dated 14 November 2022 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton.
3. Letter to Mr. Young dated 18 November 2022.

**Wards Affected:** N/A.



**WEST DUNBARTONSHIRE COUNCIL****Report by Chief Officer – Regulatory & Regeneration****Licensing Committee – 7 December 2022**

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**Subject: Application for grant of a House in Multiple Occupancy Licence**

**1. Purpose**

- 1.1** To consider an application for grant of a House in Multiple Occupancy Licence submitted by Mr. Mushtaq Yusaf, The Oval, Clarkston, Glasgow G76 8LY.

**2. Recommendations**

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

**3. Background**

- 3.1** Mr. Yusaf submitted an application for grant of a House in Multiple Occupancy Licence to the Council on 12 September 2022.
- 3.2** The property to which the application relates is located at Rosshead House, Heather Avenue, Alexandria G83 0TJ. The applicant has indicated on the application form that the property is a detached house with 10 self-catering bedsits with the maximum occupancy of the premises also being 10.
- 3.3** An email was received on 19 October 2022 from Jane and John Twigg, Avenue Cottage, Heather Avenue, Alexandria G83 0TJ submitting an representation to the application.
- 3.4** In terms of the relevant legislation, an representation with respect to an application should be submitted within 28 days of receipt of the application. As Mr. Yusaf's application was received on 12 September 2022, any representation should have been submitted by 10 October 2022. 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 submitted in the time required.

**4. Main Issues**

- 4.1** In view of the representation received, the applicant and Jane and John Twigg have been invited to attend the meeting of the Committee to be held on 7 December 2022.

- 4.2** It will be a matter for the Committee decide to whether to entertain the late representation once they have heard the reason for the late submission by Jane and John Twigg.
- 4.3** The terms of the representation received from Jane and John Twigg will be made known to the Committee at the meeting should the Committee decide to accept the reasons for lateness having heard from both parties.
- 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.

Chief Officer – Regulatory & Regeneration

Date 17 November 2022

**Person to Contact:** Robert Mackie,  
Senior Officer (Licensing Services),  
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**Appendices:** N/A.

**Background Papers:**

1. Application for grant of a House in Multiple Occupancy Licence submitted by Mr. Mushtaq Yusaf, The Oval, Clarkston, Glasgow G76 8LY.
2. Email dated 12 April 2022 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton.
3. Letter to Mr. Yusaf dated 18 November 2022.
4. Letter to Jane and John Twigg dated 18 November 2022.

**Wards Affected:** Lomond Ward.