

LICENSING COMMITTEE

At a Meeting of the Licensing Committee held in the Civic Space on Wednesday, 17 April 2024 at 2.00 p.m.

Present: Councillors Gurpreet Singh Johal, Jonathan McColl, June McKay, John Millar, Lawrence O'Neill, Chris Pollock and Hazel Sorrell.

Attending: Michael McDougall, Manager of Legal Services; Robert Mackie, Senior Licensing Officer and Lynn Straker, Committee Officer.

Also Attending: Sergeant David Holmes, Police Scotland and Mr Allan MacLeod.

Apologies: Apologies were intimated on behalf of Councillor Ian Dickson.

Councillor Lawrence O'Neill in Chair

DECLARATIONS OF INTEREST

Councillor John Millar declared an interest in Item 10 on the Agenda - Application for renewal of a Taxi/Private Hire Car Driver's Licence so accordingly he would not participate in discussion or decision of this item.

MINUTES OF PREVIOUS MEETING

The Minutes of Meeting of the Licensing Committee held on 21 February 2024 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 GRANT OF A SHORT TERM LET LICENCE – KELLY
PROPERTY BRO'S LTD., AT FLAT 1/2 333 MAIN STREET, ALEXANDRIA
G83 0BP**

A report was submitted by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for grant of a Short Term Let Licence for Kelly Property Bro's Ltd., at Flat 1/2 333 Main Street, Alexandria G83 0BP.

Mr McDougall, Manager of Legal Services, noted Mr Kelly's attendance was formally requested for this meeting however, he was not in attendance today. After discussion, Members agreed to continue the application.

DECIDED:-

The Committee agreed to continue the application.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982 REVIEW OF KNOWLEDGE TEST REQUIREMENT

A report was submitted by the Chief Officer – Regulatory and Regeneration advising Members of the outcome of the consultation relating to whether the Knowledge Test for Taxi and/or Private Hire Car Drivers continues to be necessary.

After discussion and having heard the Manager of Legal Services in further explanation, the Committee agreed to note the outcome of the consultation and retain the requirement for the Knowledge Test.

DECIDED:-

The Committee agreed to note the outcome of the consultation and retain the requirement for the Knowledge Test.

CIVIC GOVERNMENT (SCOTLAND) ACT 1982 REVIEW OF TAXI FARES AND CHARGES CLYDEBANK TAXI LICENSING ZONE

A report was submitted by the Chief Officer – Regulatory and Regeneration detailing the review of fares and charges applicable to taxis operating within the Clydebank Taxi Licensing Zone.

After discussion and having heard the Manager of Legal Services in introduction to the report, Members of the Committee then heard from Mr MacLeod, detailing his representation and his proposals for taxi fares and related charges as opposed to the proposal from West Dunbartonshire Council.

After further discussion, and having heard Mr MacLeod and the Manager of Legal Services in answer to Members' questions, the Committee agreed to the proposed scales for taxi fares and related charges as detailed in the report and to authorise Officers to conclude the review by notifying each taxi operator of the new scales, their right to appeal to the Traffic Commissioner and, if there is no subsequent appeal against the scales, by giving public notice that the new scales are to come into effect.

The Committee also asked if Officers could consult with other licensing authorities as to their consultation practices around reviews of taxi fares and charges.

DECIDED:-

The Committee agreed to to the proposed scales for taxi fares and related charges as detailed from West Dunbartonshire Council and to authorise Officers to conclude the review by notifying each taxi operator of the new scales, their right to appeal to the Traffic Commissioner and, if there is no subsequent appeal against the scales, by giving public notice that the new scales are to come into effect and instructed Officers to write to other licensing authorities to ask about their consultation practices when carrying out reviews of taxi fares and charges..

EXCLUSION OF PRESS AND PUBLIC

The Committee agreed to approve the following resolution to exclude the press and public from the meeting to allow the following item to be heard:-

“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 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 the renewal of a Taxi/Private Hire Car Driver's Licence submitted by Mr. Sean Buckley, 3 New Cordale Road, Renton, Dumbarton G82 4DE.

Members first heard from the Manager of Legal Services in introduction to the report and then from the Licensing Sergeant, Police Scotland, who detailed the letter from the Chief Constable, Police Scotland. Mr Buckley was then heard as to why he felt his Licence should be renewed. After discussion and having heard the Licence holder in further explanation, and in answer to Members' questions, the Committee agreed to grant the renewal of the Taxi/Private Hire Car Driver's Licence noting that if, during the trial proceedings, the Licence holder pleads guilty or is found guilty, then the matter can be brought back to the Licensing Committee to consider whether the Mr. Buckley remains a fit and proper person to hold a Taxi/Private Hire Car Driver's Licence on submission of a further letter from the Chief Constable, Police Scotland.

DECIDED:-

The Committee agreed to grant the renewal of the Taxi/Private Hire Car Driver's Licence noting that if, during the trial proceedings, the Licence holder pleads guilty or is found guilty, the matter can be brought back to the Licensing Committee to consider whether Mr. Buckley remains a fit and proper person to hold a Taxi/Private Hire Car Driver's Licence on submission of a further letter from the Chief Constable, Police Scotland.

The meeting closed at 2.59 p.m.

DRAFT