

WEST DUNBARTONSHIRE COUNCIL

Report by Chief Officer – Regulatory & Regeneration

Licensing Committee – 8 June 2022

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. Stephen Eaton, 18 Smollett Street, Alexandria G83 0DS.

2. Recommendations

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

3. Background

- 3.1** Mr. Eaton submitted an application for grant of a Taxi/Private Hire Car Driver's Licence to the Council on 16 March 2022.
- 3.2** A letter was received from the Chief Constable of the Police authority on 12 April 2022 advising that the Police were unable to submit a comment on the application at this point in time due to matters which required further investigation.
- 3.3** Further letters were then received from the Chief Constable of the Police authority on 18 May 2022 submitting an objection to the application detailing a number of convictions deemed as 'protected' under the Rehabilitation of Offenders Act 1974.
- 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. Eatons' application was received on 16 March 2022, any objection should have been submitted by 13 April 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 objection had not been submitted in the time required.

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 8 June 2022.
- 4.2** If the Committee decide to entertain the late objection, it will 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.

Chief Officer – Regulatory & Regeneration

Date 18 May 2022

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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. Stephen Eaton, 18 Smollett Street, Alexandria G83 0DS.
2. Letter dated 12 April 2022 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton.
3. Letters dated 18 May 2022 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton.
3. Letter to Mr. Eaton dated 20 May 2022.

Wards Affected: N/A.

