

LICENSING COMMITTEE

At a Meeting of the Licensing Committee held in the Council Chambers, Clydebank Town Hall, Dumbarton Road, Clydebank on Wednesday, 7 June 2006 at 11.00 a.m.

Present: Provost Alistair Macdonald, Councillors Denis Agnew, Douglas McAllister, Linda McColl, Duncan McDonald and Connie O'Sullivan.

Attending: Stephen Brown, Head of Legal and Administrative Services; Nigel Ettles, Principal Solicitor; Graham Pollock, Environmental Services Manager; David McCulloch, Section Head (Trading Standards); and David Rooney, Senior Administrative Officer.

Apologies: Apologies for absence were intimated on behalf of Councillor Dennis Brogan.

Councillor Douglas McAllister in the Chair

MINUTES OF PREVIOUS MEETING

9191 The Minutes of Meeting of the Licensing Committee held on 5 April 2006 were submitted and approved as a correct record.

ANIMAL BOARDING ESTABLISHMENTS ACT 1963 APPLICATION FOR LICENCE FOR RINGSTONES, COCHNO ROAD, HARDGATE, CLYDEBANK

9192 With reference to the Minutes of the Meeting of the Committee held on 5 April 2006 (Page 2340, paragraph 8626 refers), a report was submitted by the Director of Housing, Regeneration and Environmental Services providing an update on the application by Mr & Mrs Hughes for an Animal Boarding Establishment Licence for the boarding of dogs at Ringstones Kennels, Cochno Road, Hardgate, Clydebank.

9193 Having heard the Environmental Services Manager it was agreed:-

- (1) to note the progress made towards bringing the kennels up to a satisfactory standard since the last meeting of the Committee; and
- (2) that consideration of the application be further continued to the next meeting of the Committee to allow the applicants to take the necessary action to meet all of the outstanding requirements in relation to the proposed licensing conditions, as detailed in the Appendix to the report.

DANGEROUS WILD ANIMALS ACT 1976
APPLICATION FOR LICENCE TO KEEP DANGEROUS WILD ANIMALS AT
17 WEST COCHNO HOLDINGS, HARDGATE, CLYDEBANK

- 9194 With reference to the Minutes of the Meeting of the Committee held on 5 April 2006 (Page 2340, paragraph 8629 refers) a report was submitted by the Director of Housing, Regeneration and Environmental Services providing an update on the application by Ms Natalie Cox for a licence to keep Dangerous Wild Animals at 17 West Cochno Holdings, Hardgate, Clydebanks under the provisions of the Dangerous Wild Animals Act 1976.
- 9195 Having heard the Environmental Services Manager it was noted by the Committee that the applicant had recently intimated that she was withdrawing the application. After hearing the Convener, Councillor McAllister, and Councillor Agnew, it was agreed that the officers of the Environmental Health Section be commended for the work which they had carried out in relation to the application.

APPLICATION FOR GRANT OF TEMPORARY STREET TRADER'S
LICENCE (EMPLOYEE)

	<u>Name and Address of Applicant</u>	<u>Date Applied</u>
	Mr. James Rafferty 35 Newton Avenue Barrhead	25 April 2006
9196	A report was submitted by the Head of Legal and Administrative Services concerning an application for grant of a Temporary Street Trader's Licence (Employee) by the above named person.	
9197	Having heard the Principal Solicitor and Chief Inspector MacDonald, who was in attendance, it was noted that the Police wished to withdraw an observation which had been submitted on behalf of the Chief Constable in relation to the application.	
9198	It was agreed that the application be granted.	
9199	It was further agreed to note the concerns which had been expressed by Provost Macdonald with respect to the Police observation on the application having been submitted on the basis of pending cases against the applicant.	

APPLICATION FOR GRANT OF STREET TRADER'S LICENCE (EMPLOYEE)

	<u>Name and Address of Applicant</u>	<u>Date Applied</u>
	Mr. Connor MacLeod 175 Killoch Drive Knightswood Glasgow	10 May 2006
9200	A report was submitted by the Head of Legal and Administrative Services concerning an application for grant of a Street Trader's Licence (Employee) by the above named person.	
9201	Having heard the Principal Solicitor it was noted:-	
	<p>(a) that a letter had been received from the Chief Superintendent of the Police authority making an observation in relation to the application on behalf of the Chief Constable; the observation being based on the fact that the applicant had one conviction recorded against him and five pending cases;</p> <p>(b) that in view of the above 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</p> <p>(c) that Chief Inspector MacDonald was in attendance and that the applicant was present, accompanied by his representative Mr. Joseph MacLeod.</p>	
9202	Having heard Provost Macdonald it was noted that the comments which he had made with respect to the nature of the Police observation referred to in the preceding application, applied equally in this case.	
9203	Chief Inspector MacDonald was heard in relation to the observation and it was noted (a) that the applicant had accepted a Fixed Penalty in relation to a charge of Breach of the Peace and therefore did not have a conviction as such; and (b) that the Procurator Fiscal was proceeding with only one of the five pending cases, in respect of which an intermediate diet had been fixed for 13 September 2006 and a trial diet for 5 October 2006.	
9204	At the invitation of the Convener, Mr. MacLeod's representative addressed the Committee in support of the application.	
9205	After deliberation it was agreed that the application be granted on the basis that the conduct of the applicant would be closely monitored and that there would be provision for possible suspension of the licence if the applicant was convicted of the offence in respect of which he was due to stand trial.	

REVIEW OF TAXI FARES AND CHARGES – DUMBARTON AND VALE OF LEVEN TAXI LICENSING ZONE

9206 A report was submitted by the Head of Legal and Administrative Services concerning a proposed review of fares and charges applicable to taxis operating within the Dumbarton and Vale of Leven Taxi Licensing Zone.

9207 The Committee agreed:-

- (1) to approve the proposals that had been submitted in respect of the Dumbarton and Vale of Leven Taxi Licensing zone on the basis outlined in the report, in principle; and
- (2) that officers be authorised to make the necessary arrangements for the advertisement of the proposed increases in the fares and charges.

SURVEY OF DEMAND FOR TAXIS INCLUDING WHEELCHAIR ACCESSIBLE TAXIS

9208 A report was submitted by the Head of Legal and Administrative Services on the outcome of the survey of demand for taxis, including wheelchair accessible taxis, which was recently undertaken.

9209 It was noted that a request to address the Committee in relation to the report had been received from Mr. Neeson of West Dumbarton Area Taxi Trade Association and it was agreed to accede to the request.

9210 Having heard Mr. Neeson who requested that consideration of the report be continued to allow the trade sufficient time to consider the contents of the report on the Taxi Study, it was agreed that consideration be continued to the next meeting of the Committee.

EXCLUSION OF PRESS AND PUBLIC

9211 The Committee agreed to pass 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 6 of Part 1 of Schedule 7A of the Act (information relating to the financial or business affairs of any particular person (other than the authority)).”

APPLICATION FOR GRANT OF SECOND HAND DEALER'S LICENCE

	<u>Name and Address of Applicant</u>	<u>Date Applied</u>
	Mr. Nurettin Safak 51 Bracadale Road Baillieston Glasgow	30 March 2006
9212	A report was submitted by the Head of Legal and Administrative Services concerning an application for grant of a Second Hand Dealer's Licence by the above named person.	
9213	Having heard the Principal Solicitor it was noted:-	
	<p>(a) that a memorandum had been received from the Council's Trading Standards Section providing information on a number of consumer complaints which had been received in relation to the business presently operated by the applicant within Clyde Shopping Hall 1, Clydebank;</p> <p>(b) that in view of the above the applicant and a representative of the Trading Standards Section had been invited to attend the meeting in order that a hearing may take place; and</p> <p>(c) that the applicant was not in attendance and letters which had been sent to him by both Recorded Delivery Service and by normal mail inviting him to attend the meeting had been returned marked "addressee has gone away".</p>	
9214	In the circumstances, the Committee agreed to proceed to consider the application in the absence of the applicant.	
9215	At the invitation of the Convener, Mr. David McCulloch, Section Head (Trading Standards), addressed the Committee and provided details of the consumer complaints which had been made against the applicant in relation to the business which he operates within Clyde Shopping Hall 1, Clydebank.	
9216	After deliberation it was agreed by the Committee that the application be refused on the grounds that the applicant was not a fit and proper person to hold a Second Hand Dealer's licence having regard to the information provided by the Trading Standards Section.	
9217	Having heard Councillor Agnew it was agreed that the officers of the Trading Standards Section be commended for the work which they had carried out in relation to the investigation of complaints against the applicant.	

The meeting closed at 11.32 am.