

## **LICENSING COMMITTEE**

At a Hybrid Meeting of the Licensing Committee held in the Civic Space, Council Offices, 16 Church Street, Dumbarton on Tuesday, 26 October 2021 at 10.01 a.m.

**Present:** Councillors Ian Dickson, Caroline McAllister, Jonathan McColl, and Brian Walker.

**Attending:** Raymond Lynch, Section Head (Licensing); Robert Mackie, Senior Officer (Licensing Services); Lawrence Knighton, Licensing Standards Officer and Christine McCaffary, Senior Democratic Services Officer.

**Apologies:** Apologies for absence were intimated on behalf of Councillors Karen Conaghan and Jim Finn.

**Councillor Jonathan McColl in the Chair**

### **STATEMENT BY CHAIR**

Councillor McColl, Vice Chair, welcomed all those present to the meeting which was being held in hybrid format.

### **DECLARATIONS OF INTEREST**

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

### **RECORDING OF VOTES**

The Committee agreed that all votes taken during the meeting would be done by roll call vote to ensure an accurate record.

### **MINUTES OF PREVIOUS MEETINGS**

The Minutes of Meetings of the Licensing Committee held on 2 June 2021 (ordinary meeting); 9 September 2021 (special meeting); and 22 September 2021 (ordinary meeting) were submitted and approved as correct records.

## OPEN FORUM

The Committee noted that no open forum questions had been submitted by members of the public.

## VARIATION IN THE ORDER OF BUSINESS

Having heard the Chair, Councillor McColl, the Committee agreed to vary the order of business as hereinafter minuted.

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

<b>Name and Address of Applicant</b>	<b>Date Applied</b>
John Paul Hunter Ladyton Estate Bonhill Alexandria G83 9DJ	26 August 2021

A report was submitted by the Chief Officer – Regulatory and Regeneration concerning an Application for Grant of a Temporary Taxi/Private Hire Car Driver's Licence for the above named person.

The Committee noted that the applicant had attended in person and was present in the Civic Space.

Councillor McColl advised that Police Scotland were unable to be present due to resource issues connected with COP26, and accordingly he was moving that consideration of the application be continued to the next meeting of the Licensing Committee to be held on 1 December 2021 to allow a representative of Police Scotland to be in attendance.

#### **DECIDED:-**

The Committee agreed that the application be continued to the Licensing Committee meeting to be held on 1 December 2021 to allow Police Scotland to attend.

### 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 on the review of fares and charges applicable to taxis operating within the Clydebank Taxi Licensing Zone.

Having heard the Section Head (Licensing) and the Senior Officer (Licensing Services), it was noted:-

- (a) that in terms of the Civic Government (Scotland) Act, 1982, Licensing Authorities must fix scales for taxi fares and related charges within 18 months from the date on which the scales last came into effect;
- (b) that the fares and charges which were currently applicable to taxis operating within the Clydebank Taxi Licensing Zone had been in effect since 27 February 2020 and were detailed in Appendix 1 to the report;
- (c) that the Scottish Development Department Circular 25/1986 directed Councils to seek evidence to determine whether taxi operators were receiving a fair return for their investment having taken into account the various expenses incurred by the trade;
- (d) that following publication of the proposed fare chart in the Clydebank Post on 25 August 2021 two representations had been received, namely one from Mr Kenneth McSheaffrey, acting on behalf of the Clydebank Taxi Trade Group, and another from Mr Allan MacLeod; and
- (e) that Mr McSheaffrey and Mr MacLeod were in attendance, having joined the meeting remotely.

The Committee then heard from Mr McSheaffrey in further explanation of the representation he had submitted on behalf of the Clydebank Taxi Trade Group.

Thereafter the Committee heard from Mr MacLeod in connection with his representation.

Councillor McColl thanked both parties for their submissions and he and the Section Head (Licensing) were heard refute some of the points raised by Mr MacLeod, and confirming that full and proper consultation had been carried out as detailed in the Scottish Development Department Circular 25/1986.

Councillor McColl then moved:-

That the Committee agrees:-

- (i) that 30p be added to the flagfall for Tariffs 1, 2 and 3;
- (ii) that there be no change to the running mile rate;
- (iii) that there be no change to the fares for waiting;
- (iv) that Tariff 2 will be applicable from 9 p.m. each day;
- (v) that the proposed change to Tariff 2 on 24<sup>th</sup> and 31<sup>st</sup> December be rejected; and
- (vi) that the soiling fee be increased to £60

Councillor Caroline McAllister asked if Councillor McColl would accept an addendum to his motion and increase the fares for waiting to £15.

Following consideration, Councillor McColl advised that he was unable to accept the addendum and Councillor Caroline McAllister then moved the following amendment:-

That the Committee agrees:-

- (i) that 30p be added to the flagfall for Tariffs 1, 2 and 3;
- (ii) that there be no change to the running mile rate;
- (iii) that the fare for waiting be increased to £15;
- (iv) that Tariff 2 will be applicable from 9 p.m. each day;
- (v) that the proposed change to Tariff 2 on 24<sup>th</sup> and 31<sup>st</sup> December be rejected; and
- (vi) that the soiling fee be increased to £60

Councillor McColl's motion was then seconded by Councillor Walker and Councillor Caroline McAllister's amendment was seconded by Councillor Dickson.

On a roll call vote being taken 2 Members voted for the amendment, namely Councillors Caroline McAllister and Dickson, and 2 voted for the motion, namely Councillors McColl and Walker.

There being an equality of votes Councillor McColl, Chair, used his casting vote in favour of the motion which was accordingly declared carried.

**DECIDED:-**

The Committee agreed Councillor McColl's motion:-

- (i) that 30p be added to the flagfall for Tariffs 1, 2 and 3;
- (ii) that there be no change to the running mile rate;
- (iii) that there be no change to the fares for waiting;
- (iv) that Tariff 2 will be applicable from 9 p.m. each day;
- (v) that the proposed change to Tariff 2 on 24<sup>th</sup> and 31<sup>st</sup> December be rejected; and
- (vi) that the soiling fee be increased to £60

The meeting closed at 11.10 a.m.