

LICENSING COMMITTEE

At a Hybrid Meeting of the Licensing Committee held via video conference on Wednesday, 2 February 2022 at 10.00 a.m.

Present: Councillors Karen Conaghan, Ian Dickson, Jim Finn, Caroline McAllister and Lawrence O'Neill.

Attending: Peter Hessett, Chief Officer – Regulatory and Regeneration; Raymond Lynch, Section Head (Licensing); Robert Mackie, Senior Officer (Licensing Services); Peter Clyde, Licensing Standards Officer; and Lynn Straker, Committee Officer.

Also Attending: Police Constable Raymond Borland, Police Scotland.

Apology: An apology for absence was intimated on behalf of Councillor Jonathan McColl.

Councillor Jim Finn in the Chair

STATEMENT BY CHAIR

Councillor Finn, Chair, welcomed all those present to the meeting which was being audio streamed live to the internet.

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 MEETING

The Minutes of Meeting of the Licensing Committee held on 1 December 2021 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.

LICENSING OF SEXUAL ENTERTAINMENT VENUES CIVIC GOVERNMENT (SCOTLAND) ACT 1982

A report was submitted by the Chief Officer – Regulatory and Regeneration advising of the responses received to the consultation on the licensing of sexual entertainment venues and to determine whether a licensing regime should be introduced.

Having heard the Section Head (Licensing) in further explanation of the report and in answer to Members' questions, the Committee agreed:-

- (1) to note that by failing to introduce a licensing regime, operators would be free to open Sexual Entertainment Venues across West Dunbartonshire without oversight by the Council; and
- (2) to resolve that, in terms of Section 45B of the Civic Government (Scotland) Act 1982, that Schedule 2 (as so modified) of said Act shall have effect in the West Dunbartonshire Council area in relation to sexual entertainment venues (SEV) with effect from 2 February 2022.

The Section Head (Licensing) advised that there would be a public consultation on a draft Policy Statement which would be brought back to a future meeting of the Licensing Committee for its consideration in due course.

EXCLUSION OF PRESS AND PUBLIC

Having heard the Section Head (Licensing), the Committee gave consideration to passing 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 14 of Part 1 of Schedule 7A of the Act.”

Councillor O'Neill, seconded by Councillor McAllister, moved that the Press and Public not be removed from the meeting as the detail within the exempt information should be heard within the public domain.

As an amendment Councillor Dickson, seconded by Councillor Conaghan, moved that Press and Public should be removed from the meeting, given that the Committee did not yet know the nature of the exempt convictions that would be disclosed in the public domain.

On a roll call vote being taken, 2 Members voted for the amendment namely, Councillors Conaghan and Dickson, and 3 Members voted for the motion, namely Councillors Finn, Caroline McAllister and O'Neill and. The motion was accordingly declared carried.

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

Name and Address of Applicant

Date Applied

John Paul Hunter
Ladyton Estate
Bonhill
G83 9DJ

26 August 2021

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

The Committee heard from Police Constable Raymond Borland in relation to the letter which had been submitted by Police Scotland, and also the Section Head (Licensing) and the Senior Officer (Licensing Services).

The Committee then heard from Police Constable Raymond Borland with regard to the exempt convictions and in answer to Members' questions.

Mr Hunter was then given an opportunity to address the Committee in support of the application and was heard in answer to Members' questions.

DECIDED:-

After consideration, the Committee agreed that Mr Hunter's licence application be refused.

The meeting closed at 10.34 a.m.