

LICENSING COMMITTEE

At a Meeting of the Licensing Committee held in the Council Chamber, Clydebank Town Hall, 5 Hall Street, Clydebank, G81 2NR on Wednesday, 2 August 2023 at 2.00 p.m.

Present: Councillors Ian Dickson, Gurpreet Singh Johal, James McElhill, June McKay, Lawrence O'Neill and Hazel Sorrell.

Attending: Michael McDougall, Section Head – Licensing; Bob Mackie, Senior Licensing Officer; Peter Clyde, Licensing Standards Officer and Lynn Straker, Committee Officer.

Also Attending: Sergeant Ben Rusden, Police Scotland; Mr Campbell, Solicitor and Representative for Licence Holder Mr Shafiqullah Khalil, Aladdin Hot For You and Mr Mugirente.

Apologies: Apologies for absence were intimated on behalf of Councillor John Millar and Councillor Chris Pollock.

Councillor Lawrence O'Neill in Chair

DECLARATIONS OF INTEREST

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

MINUTES OF PREVIOUS MEETING

The Minutes of Meetings of the Licensing Committee held on 14 June 2023 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.

REQUIREMENT FOR A CRIMINAL RECORD CHECK

A report was submitted by the Chief Officer – Regulatory and Regeneration to allow Members to consider whether to dispense with the requirement for a criminal record check from an applicant's country of origin.

Having heard from Michael McDougall, Section Head – Licensing and in answer to Members' questions, Members agreed to dispense with the requirement for a criminal record check for this applicant and requested that Officers review the Licensing Committee's policy in respect of requiring a criminal record check from any future applicant's country of origin.

DECIDED:-

Members agreed to dispense with the requirement for a criminal record check for this applicant and requested that Officers review the Licensing Committee's policy in respect of requiring a criminal record check from country of origin for future applicant's.

HEARING REGARDING POSSIBLE SUSPENSION OR REVOCATION OF A LATE HOURS CATERING LICENCE - CONTINUATION

A report was submitted by the Chief Officer – Regulatory and Regeneration in relation to a matter continued from the meeting on 14 June 2023 asking Members to consider a request from the Chief Constable of Police Scotland for the suspension of a Late Hours Catering Licence held by Mr. Shafiqullah Khalil for the premises, Aladdin Hot For You located at 6 High Street, Dumbarton, G82 1LL. Members were advised they also had the option to revoke the licence.

Having heard from Michael McDougall, Section Head – Licensing and in answer to Members' questions, the Committee then heard from Mr Campbell, Solicitor and Legal Representative for Licence holder Mr Shafiqullah Khalil. Mr Campbell advised Mr Shafiqullah Khalil was currently out of the country and looking after his mother who was not well. Mr Campbell asked for a continuation of the hearing to the next meeting of the Licensing Committee so Mr Shafiqullah Khalil could attend in person and respond to the concerns raised by Police Scotland. Mr Campbell provided Members with vouching in relation to the continuation request.

ADJOURNMENT

The Chair adjourned the meeting for a short recess. The meeting reconvened at 2.46 p.m. with all those listed in the sederunt present.

After further discussion, Councillor Lawrence O'Neill, Chair, moved to allow a continuation of the hearing to the next meeting of the Licensing Committee on 11 October 2023 on the provision that a decision must be made at the next meeting to

determine whether the licence should be suspended and, if so, the duration of the suspension and date of commencement thereof or alternatively Members may revoke the licence.

Mr Campbell and Members agreed to the continuation with the provision proposed.

DECIDED:-

Members agreed to a continuation of the hearing to the next meeting of the Licensing Committee on 11 October 2023 on the provision that a decision must be made at the next meeting to determine whether the licence should be suspended and, if so, the duration of the suspension and date of commencement thereof or alternatively Members may revoke the licence.

REVIEW OF REQUIRMENT OF KNOWLEDGE TEST

A report was submitted by the Chief Officer – Regulatory and Regeneration to allow Members to consider whether to review the knowledge test requirement for applicants for a Taxi Driver and Private Hire Car Driver Licence.

Having heard from Michael McDougall, Section Head – Licensing and in answer to Members' questions, the Committee agreed to instruct the Council's Licensing Section to carry out a review, by way of a public consultation, of the requirement for a knowledge test for Taxi and Private Hire Car Driver licence applicants.

DECIDED:-

Members agreed to instruct the Council's Licensing Section to carry out a review, by way of a public consultation, of the requirement for a knowledge test for Taxi and Private Hire Car Driver licence applicants.

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 GRANT OF A WINDOW CLEANER'S LICENCE

A report was submitted by the Chief Officer – Regulatory and Regeneration asking Members to consider an application for grant of a Window Cleaner's Licence submitted by Mr. Ross McGowan, 9 Cherry Crescent, Clydebank, G81 3JA.

The hearing had been continued from the previous Licensing Committee meeting on 14 June 2023 due to the Licence applicant's non-attendance.

The applicant was again not in attendance and had not been in contact with Officers regarding the hearing. After further discussion, Members agreed to refuse the Licence application as the applicant is not a fit and proper person to be the holder of the licence.

DECIDED:-

Members agreed to refuse the Licence application as the applicant is not a fit and proper person to be the holder of the licence.

The meeting closed at 2.53 p.m.