

LICENSING COMMITTEE

At a Meeting of the Licensing Committee held in the Council Chambers, Municipal Buildings, Station Road, Dumbarton on Wednesday, 10 January 2007 at 11.00a.m.

Present: Provost Macdonald, Councillors Denis Agnew, Dennis Brogan, Douglas McAllister and Linda McColl.

Attending: Stephen Brown, Head of Legal and Administrative Services; Nigel Ettles, Principal Solicitor and David Rooney, Senior Administrative Officer.

Apologies: Apologies for absence were intimated on behalf of Councillors Duncan McDonald and Connie O'Sullivan.

Councillor McAllister in the Chair

MINUTES OF PREVIOUS MEETING

- 11078 The Minutes of Meeting of the Licensing Committee held on 1 November 2006 were submitted and approved as a correct record.

SURVEY OF DEMAND FOR TAXIS INCLUDING WHEELCHAIR ACCESSIBLE TAXIS

- 11079 With reference to the Minutes of the Meeting of the Committee held on 6 September 2006 (Page 2653, paragraph 9934 refers) a report was submitted by the Head of Legal and Administrative Services providing an update following the decision to continue consideration of the report on the outcome of the survey of demand for taxis including wheelchair accessible taxis to allow relevant user groups to be consulted.
- 11080 Having heard the Convener, Councillor McAllister, the Committee agreed to note the finding of the study that there is no Significant Unmet Demand in either the Clydebank or Dumbarton and Vale of Leven Taxi Licensing Zones.
- 11081 It was then agreed that representatives of Age Concern Dumbarton and West Dunbartonshire Access Panel be heard in support of written submissions which they had made in relation to the issue of taxi accessibility in the Dumbarton and Vale of Leven Taxi Licensing Zone.

- 11082 The Convener invited Mrs. Wendy Hutchinson, Chairwoman of Age Concern Dumbarton to address the Committee. It was noted that Mrs. Hutchinson would not be proceeding with a planned visual presentation which had been referred to in the report. Mrs. Hutchinson made the views of her organisation on the issue known. The Committee also heard Mrs. Ann Melvin, Vice Chairwoman of Age Concern Dumbarton. After answering questions from Members the representatives of the organisation returned to the public gallery.
- 11083 Mr. Bill Rankin, Chairperson of West Dunbartonshire Access Panel, was then invited by the Convener to address the Committee and he made the views of his organisation known. After answering questions from Members, Mr. Rankin returned to the public gallery.
- 11084 Mr. Neeson of Dumbarton and Alexandria Taxi Trade Association was then given the opportunity to address the Committee on the issue. Mr. Neeson then responded to questions from Members.
- 11085 The Committee also heard the Head of Legal and Administrative Services in relation to the issue in general and the ability of the Trade to provide a percentage or quota of wheelchair accessible taxis.
- 11086 After discussion, Councillor Agnew, seconded by Councillor McAllister, moved:-
- 11087 That Option 1 detailed in the report be approved with an implementation date of 1 April 2007.
- 11088 As an amendment, Councillor McColl, seconded by Councillor Brogan, moved:-
- 11089 That Option 2 detailed in the report be approved.
- 11090 On a vote being taken, 2 Members voted for the amendment and 3 Members voted for the motion, which was accordingly declared carried.

APPLICATIONS FOR GRANT OF TEMPORARY TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE

- | (a) | <u>Name and Address of Applicant</u> | <u>Date Applied</u> |
|------------|--|----------------------------|
| | Patrick Hamill
17 Dumbain Crescent
Balloch | 16 October 2006 |
| 11091 | A report was submitted by the Head of Legal and Administrative Services concerning an application for grant of a Temporary Taxi/Private Hire Car Driver's Licence by the above named person. | |

11092 After hearing the Principal Solicitor it was noted:-

- (a) that a letter had been received from the Chief Superintendent of the Police authority making a representation in relation to the application on behalf of the Chief Constable and 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
- (b) that the letter from the Police making the representation had been received late; that the Committee had discretion to consider the late representation if there was sufficient reason why the letter had been submitted late; and that it would be a matter for the Committee to decide whether to entertain the representation after hearing from the representative of the Police with respect to this issue.

11093 After hearing Chief Inspector MacDonald, who explained why the representation had been submitted outwith the statutory period, the Committee was satisfied that there was sufficient reason for the lateness of the representation and agreed that the representation would be taken into consideration.

11094 The Committee then heard Chief Inspector MacDonald in relation to the representation. With the agreement of the Committee copies of a further letter from the Chief Superintendent, dated 9 January 2007, providing details of three convictions against Mr. Hamill, which he had failed to disclose in his application form, were circulated. It was noted that Mr. Hamill was disputing that he had served a term of imprisonment in relation to a conviction in Holland in 1994.

11095 Thereafter the applicant was invited to come forward and he addressed the Committee in support of his application. After answering questions from Members the applicant returned to the public gallery.

11096 After discussion it was agreed that consideration of the application be continued to the next meeting of the Committee to allow clarification to be sought with respect to the conviction which was disputed by the applicant.

(b)	<table border="0"> <tr> <td style="text-align: left;"><u>Name and Address of Applicant</u></td> <td style="text-align: left;"><u>Date Applied</u></td> </tr> <tr> <td style="vertical-align: top;">James Lorimer 71 Mountblow Road Clydebank</td> <td style="vertical-align: top;">17 November 2006</td> </tr> </table>	<u>Name and Address of Applicant</u>	<u>Date Applied</u>	James Lorimer 71 Mountblow Road Clydebank	17 November 2006
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James Lorimer 71 Mountblow Road Clydebank	17 November 2006				

11097 A report was submitted by the Head of Legal and Administrative Services concerning an application for grant of a Temporary Taxi/Private Hire Car Driver's Licence by the above named person.

- 11098 The Principal Solicitor advised the Committee that a letter had been received from the Chief Superintendent of the Police authority making a representation in relation to the application on behalf of the Chief Constable and the applicant and a representative of the Police authority had been invited to attend the meeting in order that a hearing may take place.
- 11099 The Principal Solicitor also provided details of the nature of the convictions listed in paragraph 2.3 (e) of the report and advised that it was understood that the Police representative may now not wish to provide details of the intelligence referred to in paragraph 2.3 (g) of the report.
- 11100 The Committee then heard Chief Inspector MacDonald in relation to the representation.
- 11101 Thereafter the applicant was invited to come forward and he addressed the Committee in support of his application. After answering questions from Members the applicant returned to the public gallery.
- 11102 After consideration it was unanimously agreed that the application be refused on the grounds that the applicant was not a fit and proper person to hold a licence of the type applied for having regard to the convictions recorded against him.

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

<u>Name and Address of Applicant</u>	<u>Date Applied</u>
Mr Hugh Beattie 33 Andrew Drive Whitecrook Clydebank	8 December 2006
11103 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.	
11104 After hearing the Principal Solicitor it was noted:-	
(a) that an application from Mr. Beattie for a Temporary Street Trader's Licence (Employee) had been granted at the November 2006 meeting of the Committee after a hearing;	
(b) that it had been agreed that should Mr. Beattie submit an application for a full Street Trader's Licence (Employee) it would be referred to the Committee for determination;	

- (c) that Mr. Beattie had made an application for a full licence and in accordance with the decision at the November meeting of the Committee, the application had been referred to the Committee for determination; and
- (d) that the applicant had been invited to attend the meeting and he was present.

11105 Having noted that there was no objection or representation in relation to application from the Police it was agreed that the application be granted.

The meeting closed at 12.05 p.m.