

Agenda



Meeting of Licensing Committee

Date: Wednesday, 15 February 2023

Time: 14:00

Venue: Civic Space, Council Offices, 16 Church Street, Dumbarton, G82 1QL

Contact: Lynn Straker, Committee Officer
Email: lynn.straker@west-dunbarton.gov.uk

Dear Member,

Please attend a meeting of **Licensing Committee** as detailed above.

The business is shown on the attached agenda.

Yours faithfully

PETER HESSETT

Chief Executive

Distribution:

Councillor Ian Dickson
Councillor Jim McElhill*
Councillor June McKay
Councillor John Millar
Councillor Lawrence O'Neill
Councillor Chris Pollock
Councillor Gurpreet Singh Johal
Councillor Hazel Sorrell

* Membership effective as at 2 February 2023

All other Councillors for information.
Chief Officer – Regulatory and Regeneration

Date issued: 2 February 2023

LICENSING COMMITTEE

WEDNESDAY, 15 FEBRUARY 2023

AGENDA

1 APOLOGIES

2 DECLARATIONS OF INTEREST

Members are invited to declare if they have an interest in any of the undernoted items of business on this agenda and, if so, state the reasons for such declarations.

3 MINUTES OF PREVIOUS MEETING 5 - 7

Submit for approval, as a correct record, the Minutes of the Special Meeting of the Licensing Committee held on 7 December 2022.

4 OPEN FORUM

The Committee is asked to note that no open forum questions have been submitted by members of the public.

5 EXCLUSION OF PRESS AND PUBLIC 9

The Committee is asked to consider passing the following resolution prior to consideration of the undernoted items of business:-

“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.”

**6 APPLICATION FOR GRANT OF A TAXI / PRIVATE HIRE 11 - 13
CAR DRIVER'S LICENCE**

Submit report by the Chief Officer – Regulatory and Regeneration asking Members to consider an application for grant of a Taxi/Private Hire Car Driver's Licence submitted by Mr. Robert Young, 129 Melbourne Avenue, Clydebank G81 4QB.

7/

7 APPLICATION FOR RENEWAL OF A TAXI / PRIVATE HIRE CAR DRIVER'S LICENCE 15 - 17

Submit report by the Chief Officer – Regulatory and Regeneration asking Members to consider an application for renewal of a Taxi/Private Hire Car Driver's Licence submitted by Mr. Ross McKinney, 17 Highdykes Hill, Bonhill, Alexandria, G83 9AB.

LICENSING COMMITTEE

At a Meeting of the Licensing Committee held in the Council Chambers, Clydebank Town Hall, 5 Hall Street, Clydebank on Wednesday, 7 December 2022 at 2.02 p.m.

Present: Councillors Ian Dickson, Diane Docherty, Gurpreet Singh Johal, June McKay, John Millar, Lawrence O'Neill and Chris Pollock.

Attending: Michael McDougall, Section Head - Licensing; Robert Mackie, Senior Officer (Licensing Services), Constable Raymond Borland, Police Scotland and Lynn Straker, Committee Officer.

Also Attending: Mr James McCallum; Mr Robert Young; Mr Niall Hassard, Solicitor and representative for Mr Mushtaq Yusaf and Mr Mushtaq Yusaf.

Apologies: An apology for absence was intimated on behalf of Councillor Hazel Sorrell.

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 Meeting of the Licensing Committee held on 12 October 2022 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.

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

A report was submitted by the Chief Officer – Regulatory and Regeneration asking Members to consider an application for grant of a Taxi/Private Hire Car Driver's Licence submitted by Mr. James McCallum, 12 Long Craggs View, Dumbarton, G82 3DL.

A letter from the Chief Constable, Police Scotland was received 'out of time' with reference to this application. However, on hearing Mr McDougall, Section Head - Licensing and Constable Borland, Police Scotland Licensing Officer, the Committee agreed to accept the letter out of time.

Constable Borland was heard in connection with the letter of objection and in answer to Members' questions. The Committee then heard from Mr McCallum in support of his application for renewal of his Taxi Driver Licence. After further explanation, the Committee agreed to grant the Taxi Driver Licence for a period of one year, after which time it would be reconsidered if anything further was reported from Police Scotland.

DECIDED:-

The Committee agreed to grant the Taxi Driver Licence for a period of one year to Mr McCallum, after which time it would be reconsidered if anything further was reported from Police Scotland.

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

A report was submitted by the Chief Officer – Regulatory and Regeneration asking Members to consider an application for grant of a Taxi/Private Hire Car Driver's Licence submitted by Mr. Robert Young, 129 Melbourne Avenue, Clydebank, G81 4QB.

Having heard Mr McDougall, Section Head - Licensing and Constable Raymond Borland, Police Scotland Licensing Officer in further explanation and in answer to Members' questions, the Committee agreed to a continuation of the Application to the next meeting of the Committee in February 2023.

DECIDED:-

The Committee agreed to a continuation of the Application to the next meeting of the Committee in February 2023.

APPLICATION FOR GRANT OF A HOUSE IN MULTIPLE OCCUPANCY LICENCE

A report was submitted by the Chief Officer – Regulatory and Regeneration asking Members to consider an application for grant of a House in Multiple

Occupancy Licence submitted by Mr. Mushtaq Yusaf, The Oval, Clarkston, Glasgow, G76 8LY.

Having heard Mr McDougall, Section Head - Licensing, in further explanation of the application, Members agreed to hear an objection which had been received 'out of time'.

Mr Twig, Representor, advised that he resided in the same street as the property and noted that the property was difficult to find as was a quiet lane and he was concerned that he would have people coming to his property when they were unable to locate it. Mr Twig also stated that it was a private road maintained by all neighbours who share it.

The Committee then heard from Mr Niall Hassard, Solicitor and representative for Mr Yusaf, in explanation of the application. He advised that Mr Yusaf undertook to ensure correct signage was placed to direct people to the property and that he would also participate in managing and maintaining the private lane.

After further explanation, and in answer to Members' questions, the Committee agreed to grant the application for a House in Multiple Occupancy.

DECIDED:-

The Committee agreed to grant the application for a House in Multiple Occupancy.

The meeting closed at 3.08 p.m.



NOT FOR PUBLICATION

**by virtue of Paragraph 14 of Part 1 of Schedule 7A of
the Local Government (Scotland) Act, 1973**

**ANY ACTION TAKEN OR TO BE TAKEN IN
CONNECTION WITH THE PREVENTION,
INVESTIGATION OR PROSECUTION OF CRIME**

**PLEASE NOTE THAT CONFIDENTIAL INFORMATION
AND PAGES HAVE BEEN REMOVED**

WEST DUNBARTONSHIRE COUNCIL

Report by Chief Officer – Regulatory & Regeneration

Licensing Committee – 15 February 2023

Subject: Application for Grant of a Taxi/Private Hire Car Driver's Licence

1. Purpose

- 1.1** To consider an application for grant of a Taxi/Private Hire Car Driver's Licence submitted by Mr. Robert Young, 129 Melbourne Avenue, Clydebank G81 4QB.

2. Recommendations

- 2.1** It is recommended that the application be considered and determined by the Committee.

3. Background

- 3.1** Mr. Young submitted an application for grant of a Taxi/Private Hire Car Driver's Licence to the Council on 18 October 2022.
- 3.2** A letter was received from the Chief Constable of the Police authority on 14 November 2022 submitting an objection in connection with the application.
- 3.3** A further letter was received from the Chief Constable of the Police authority on 14 November 2022 detailing a number of convictions deemed as 'protected' under the Rehabilitation of Offenders Act 1974.
- 3.4** Mr. Young previously held a Taxi/Private Hire Car Driver's Licence with West Dunbartonshire Council from September 2015 until September 2019.
- 3.5** At the meeting of the Licensing Committee held on 7 December 2022, having heard from both the Section Head of Licensing and the Police representative, Members decided to continue the application until the 15 February 2023.

4. Main Issues

- 4.1** In view of the submission received from the Police, the applicant and a representative of the Police authority have been invited to attend the meeting of the Committee to be held on 15 February 2023.
- 4.2** The second letter received from Police Scotland contains details of matters that are considered 'protected' in terms of the Rehabilitation Of Offenders Act 1974. These details will only be submitted to Members of the Committee should they determine that justice cannot be done in this case except by admitting these details.

4.3 The terms of the letters from the Police will be made known to the Committee at the meeting as appropriate.

5. People Implications

5.1 There are no personnel issues.

6. Financial Implications

6.1 There are no financial implications

7. Risk Analysis

7.1 There is no increased risk to the Council associated with the contents of this report.

8. Equalities Impact Assessment (EIA)

8.1 No impact assessment is required because this report does not involve any change to policies or services or financial decisions.

9. Consultation

9.1 Police Scotland were consulted in relation to the application.

10. Strategic Assessment

10.1 In terms of the Council's Strategic Priorities, the purpose of licensing is to ensure our neighbourhoods are safe, resilient and inclusive.

Chief Officer – Regulatory & Regeneration

Date 25 January 2023

Person to Contact: Robert Mackie,
Senior Officer (Licensing Services),
Licensing Team,
Municipal Buildings,
College Street,
Dumbarton,
G82 1NR.

Tel. No. (Direct line) 01389 738742.
robert.mackie@west-dunbarton.gov.uk

Appendices: N/A.

Background Papers:

1. Application for grant of a Taxi/Private Hire Car Driver's Licence submitted by Mr. Robert Young, 129 Melbourne Avenue, Clydebank G81 4QB.
2. Letters dated 14 November 2022 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton.
3. Letter to Mr. Young dated 26 January 2023.

Wards Affected: N/A.

WEST DUNBARTONSHIRE COUNCIL

Report by Chief Officer – Regulatory & Regeneration

Licensing Committee – 15 February 2023

Subject: Application for renewal of a Taxi/Private Hire Car Driver's Licence

1. Purpose

- 1.1** To consider an application for renewal of a Taxi/Private Hire Car Driver's Licence submitted by Mr. Ross McKinney, 17 Highdykes Hill, Bonhill, Alexandria G83 9AB.

2. Recommendations

- 2.1** It is recommended that the application be considered and determined by the Committee.

3. Background

- 3.1** Mr. McKinney submitted an application for renewal of a Taxi/Private Hire Car Driver's Licence to the Council on 11 December 2022.

- 3.2** A letter was received from the Chief Constable of the Police authority on 5 January 2023 submitting an objection in connection with the application.

- 3.3** Members may wish to note that Mr. McKinney appeared before the Licensing Committee on 15 June 2021 where he was the subject of an immediate suspension request submitted by the Chief Constable, Police Scotland. Members decided at that time that the request to suspend or revoke the licence should be returned to the Committee by Police Scotland if required as the matters detailed in the Police letter related to a pending matter which had not yet been determined. The objection submitted by Police Scotland on 5 January 2023 relates to the same matter contained within their previous immediate suspension request submitted on 19 May 2021.

- 3.4** Mr. McKinney has held a Taxi/Private Hire Car Driver's Licence with West Dunbartonshire Council since October 2014.

4. Main Issues

- 4.1** In view of the submission received from the Police, the applicant and a representative of the Police authority have been invited to attend the meeting of the Committee to be held on 15 February 2023.

- 4.2** The terms of the letter from the Police will be made known to the Committee at the meeting as appropriate.

5. People Implications

5.1 There are no personnel issues.

6. Financial Implications

6.1 There are no financial implications

7. Risk Analysis

7.1 There is no increased risk to the Council associated with the contents of this report.

8. Equalities Impact Assessment (EIA)

8.1 No impact assessment is required because this report does not involve any change to policies or services or financial decisions.

9. Consultation

9.1 Police Scotland were consulted in relation to the application.

10. Strategic Assessment

10.1 In terms of the Council's Strategic Priorities, the purpose of licensing is to ensure our neighbourhoods are safe, resilient and inclusive.

Chief Officer – Regulatory & Regeneration

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Appendices: N/A.

Background Papers:

1. Application for renewal of a Taxi/Private Hire Car Driver's Licence submitted by Mr. Ross McKinney, 17 Highdykes Hill, Bonhill, Alexandria G83 9AB.

2. Letter dated 5 January 2023 from the Chief Constable, Police Scotland, 'L' Divisional Headquarters, Stirling Road, Dumbarton.
3. Letter to Mr. McKinney dated 26 January 2023.

Wards Affected: N/A.