

## **LICENSING COMMITTEE**

At a Meeting of the Licensing Committee held in the Council Chambers, Municipal Buildings, Station Road, Dumbarton on Wednesday, 5 April 2006 at 11.10 a.m.

**Present:** Councillors Denis Agnew, Douglas McAllister, Duncan McDonald and Connie O'Sullivan.

**Attending:** Alan Douglas, Manager - Best Value and Special Projects; Irving Hodgson, Head of Development and Environmental Services, Department of Housing, Regeneration and Environmental Services; Graham Pollock, Environmental Services Manager; Frank Maguire, Environmental Health Officer; Raymond Lynch, Solicitor; and David Rooney, Senior Administrative Officer.

**Also Attending:** Mr. Alistair Lawrie, Veterinary Surgeon.

**Apologies:** Apologies for absence were intimated on behalf of Provost Alistair Macdonald and Councillor Linda McColl.

**Councillor Douglas McAllister in the Chair**

### **MINUTES OF PREVIOUS MEETINGS**

8623 The Minutes of Meeting of the Licensing Committee held on 1 February 2006 were submitted and approved as a correct record.

### **ANIMAL BOARDING ESTABLISHMENT ACT 1963 LICENCE APPLICATION FOR RINGSTONES, COCHNO ROAD, HARDGATE, CLYDEBANK**

8624 A report was submitted by the Head of Development and Environmental Services making recommendations on an application by Mr. & Mrs. Hughes, Cochno Road, Hardgate, Clydebank for the renewal of an Animal Boarding Establishment Licence for the boarding of dogs at Ringstones Kennels, Cochno Road, Hardgate, Clydebank.

8625 Having heard the Manager - Best Value and Special Projects, the Environmental Services Manager and Mr. Lawrie, Veterinary Surgeon, it was noted:-

- (a) that a further inspection of the Boarding Kennels had been carried out on 4 April 2006 and it had been ascertained that various improvements had been made since the Veterinary Inspection which had been undertaken on 7 February 2006;
- (b) that men and materials were on site to facilitate further improvements, which it was estimated would take approximately eight weeks to complete; and
- (c) that the works initiated and the completion of the programme of works proposed by the applicant would secure compliance with all relevant legislation.

8626 Having heard the Convener, Councillor McAllister, it was agreed that consideration of the application be continued to the next meeting of the Committee in order that a further report may be provided giving details of the extent to which the premises had been brought up to a suitable standard, compliant with the Animal Boarding Establishments Act 1963.

**DANGEROUS WILD ANIMALS ACT 1976  
APPLICATION FOR LICENCE TO KEEP DANGEROUS WILD ANIMALS AT  
17 WEST COCHNO HOLDINGS, HARDGATE, CLYDEBANK**

8627 A report was submitted by the Head of Development and Environmental Services making recommendations on an application by a Mrs. Natalie Cox for a licence to keep two African Serval Cats and two Asian Leopard Cats at 17 West Cochno Holdings, Hardgate, Clydebank under the provisions of the Dangerous Wild Animals Act 1976.

8628 The applicant, Mrs. Cox, who was in attendance, was invited to come forward by the Convener and was given an opportunity to address the Committee in support of her application. After answering questions from Members, particularly in relation to the requirements to provide and maintain an animal escape contingency plan and to provide adequate accommodation for the animals, Mrs. Cox returned to the public gallery whilst the application was considered.

8629 After deliberation it was agreed that consideration of the application be continued to the next meeting of the Committee in order that a further report may be provided indicating whether the applicant was in a position to fully comply with (a) the conditions detailed in Appendix 3 to the report, which would be a pre-requisite to the licence being granted and (b) the ongoing conditions of licence detailed in Appendix 3, throughout the duration of the licence.

## APPLICATION FOR GRANT OF TEMPORARY STREET TRADER'S LICENCE

	<b><u>Name and Address of Applicant</u></b>	<b><u>Date Applied</u></b>
	Thomas Collins 62 Durban Avenue Dalmuir Clydebank	6 February 2006
8630	A report was submitted by the Head of Legal and Administrative Services concerning an application for grant of a Temporary Street Trader's Licence by the above named person.	
8631	Having heard the Manager - Best Value and Special Projects it was noted:-	
	<p>(a) that a letter had been received from the Chief Superintendent of the Police authority intimating an objection 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;</p> <p>(b) that the applicant was not in attendance; and</p> <p>(c) that it would be a matter for the Committee to decide whether or not to deal with the application in the absence of the applicant or to continue consideration of the application.</p>	
8632	The Committee agreed to consider the application in the absence of the applicant.	
8633	The Manager - Best Value and Special Projects then advised:-	
	<p>(a) that in addition to the convictions against the applicant which were detailed in the report, Mr. Collins had further convictions which were now "spent" in terms of the Rehabilitation of Offenders Act 1974;</p> <p>(b) that in the letter of objection from the Police, details had been given of a number of incidents involving the applicant which had not resulted in convictions but which the Chief Constable considered to have a bearing on the fitness of the applicant to hold a licence;</p> <p>(c) that the Committee would require to decide whether the applicant's spent convictions should be disclosed and taken into consideration and whether the additional information which had been provided by the Police should be made known to the Committee; and</p> <p>(d) that spent convictions cannot be considered unless there is no other way of doing justice.</p>	

- 8634 The Committee agreed that details of the applicant's spent convictions should not be disclosed but the additional information which had been provided by the Police should be made known to the Committee. Accordingly, a suitably edited version of the letter of objection from the Police was circulated for consideration by the Committee.
- 8635 Chief Inspector MacDonald and Sergeant Jamieson, who were in attendance, were invited to come forward by the Convener. Chief Inspector MacDonald was heard in support of the objection and it was noted that it was the contention of the Chief Constable that the applicant was not a fit and proper person to be the holder of a Street Trader's licence. In this regard Chief Inspector MacDonald made reference to the two convictions recorded against the applicant, as detailed in the report; the various incidents involving the applicant which had not resulted in convictions; and the pending criminal court proceedings against the applicant, as detailed in the report.
- 8636 Chief Inspector MacDonald answered questions from Members and thereafter the application was deliberated by the Committee.
- 8637 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 Street Trader's licence.

#### **TAXI LICENCE NO.76 (CLYDEBANK) – LICENCE HOLDERS: MR. HENRY WEST AND MR. MARTIN MCILVENNA**

- 8638 With reference to the Minutes of the Meeting of the Committee held on 7 December 2005 (page 2085 paragraph 7667 refers) a report was submitted by the Head of Legal and Administrative Services advising the Committee of the current position in relation to the above Taxi Licence.
- 8639 The Committee agreed to note the position with respect to this Taxi Licence.

#### **PROPOSED ADVERTISING ON TAXIS**

- 8640 With reference to the Minutes of the Meeting of the Committee held on 1 February 2006 (page 2172 paragraph 8063 refers) a further report was submitted by the Head of Legal and Administrative Services:-
- (a) inviting the Committee to resume consideration of a request for permission to display advertisements on taxis operating in the Clydebank Taxi Licensing Zone; and
  - (b) providing further information on the exercise of delegated powers in relation to such requests and the circumstances in which proposals for advertising on taxis would be deemed to be controversial and therefore referred to the Committee for determination.

- 8641 Having heard the Convener, Councillor McAllister, it was agreed to note the contents of the report and that officers be authorised to deal with the request from Black Taxi Advertising for consent to advertise “www.PartyPoker.com” on nominated taxis operating in the Clydebank Taxi Licensing Zone under delegated powers.

The meeting closed at 11.43 a.m.