

LICENSING COMMITTEE

At a Meeting of the Licensing Committee held in the Council Chambers, Clydebank Town Hall, 5 Hall Street, Clydebank on Wednesday, 9 October 2024 at 2.00 p.m.

Present: Councillors Gurpreet Singh Johal, Fiona Hennebry, Lawrence O'Neill, Chris Pollock and Hazel Sorrell.

Attending: Michael McDougall, Manager of Legal Services; Robert Mackie, Senior Licensing Officer; and Lynn Straker, Committee Officer.

Also Attending: Sergeant David Holmes, Police Scotland; Mr Christopher Percy; Mr Greg McPhie; Mr Yousuf Ghouri; and Mr Hasan Iqbal.

Apologies: Apologies for absence were intimated on behalf of Councillors Ian Dickson and John Millar.

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 7 August 2024 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.

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 TEMPORARY TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE

A report was submitted by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for grant of a temporary Taxi/Private Hire Car Driver's Licence submitted by Mr Christopher Percy.

Members first heard from Sergeant David Holmes, Police Scotland who detailed the submission from the Chief Constable, Police Scotland. Members, having heard from parties present, agreed to admit the letter relating to protected matters.

Members then heard from the applicant in support of their application.

After discussion and having heard the applicant in further explanation and in answer to Members' questions, Members agreed to refuse the licence on the grounds that the applicant was not a fit and proper person to hold the licence.

DECIDED:-

Members agreed to refuse the application for the grant of the temporary Taxi/Private Hire Car Licence on the grounds that the applicant was not a fit and proper person to hold the licence.

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

A report was submitted by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for grant of a Taxi/Private Hire Car Driver's Licence submitted by Mr Greg McPhie.

Members first heard from Sergeant David Holmes, Police Scotland who detailed the objection submitted by the Chief Constable, Police Scotland. Members having heard from parties agreed to admit the letter relating to protected matters. Further, members having heard from parties, Members agreed to admit the late letter. Members then heard from the applicant in support of their application.

ADJOURNMENT

Councillor O'Neill, Chair, adjourned the meeting for a short recess to allow Members to take legal advice. The meeting reconvened at 3.05 p.m. with all those present in the sederunt in attendance.

After discussion and having heard the applicant in further explanation and in answer to Members' questions, Members agreed to refuse the licence on the grounds that the applicant was not a fit and proper person to hold the licence.

DECIDED:-

Members agreed to refuse the application for the grant of the Taxi/Private Hire Car Licence on the grounds that the applicant was not a fit and proper person to hold the licence.

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

A report was submitted by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for grant of a Taxi/Private Hire Car Driver's Licence submitted by Mr Jose George.

Members noted that the applicant was not in attendance and agreed to a continuation of this hearing to the next meeting of the Licensing Committee.

DECIDED:-

Members agreed to a continuation of this hearing to the next meeting of the Licensing Committee.

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

A report was submitted by the Chief Officer – Regulatory and Regeneration requesting the Committee to consider an application for the grant of a Taxi/Private Hire Car Driver's Licence submitted by Mr Yousuf Ghouri.

Members first heard from Sergeant David Holmes, Police Scotland, who detailed the objection submitted by the Chief Constable, Police Scotland. Members then heard from the applicant in support of the application.

After discussion and having heard the applicant in further explanation and in answer to Members' questions, Members agreed to refuse the licence on the grounds that the applicant was not being a fit and proper person to hold the licence.

DECIDED:-

Members agreed to refuse the application for the grant of the Taxi/Private Hire Car Licence on the grounds that the applicant was not a fit and proper person to hold the licence.

TAXI FARE REVIEW UPDATE

A report was submitted by the Chief Officer – Regulatory and Regeneration providing information to allow the Licensing Committee to update its practice in relation to its consultation in relation to taxi fare reviews.

After discussion and having heard the Manager of Legal Services in further explanation and in answer to Members' questions, the Committee agreed:-

- (1) to continue their practice of consulting persons or bodies representative of taxi operators in terms of section 17 of the Civic Government (Scotland) Act 1982;
- (2) to authorise officers to consult with holders of a taxi operator licence to ascertain views on the terms of the document which formed Appendix 1 to the report; and
- (3) to report the outcome of the consultation to a future meeting of the Licensing Committee for consideration.

CIVIC AND MISCELLANEOUS LICENSING FEE REVIEW

A report was submitted by the Chief Officer – Regulatory and Regeneration providing an update on the outcome of a review of licence fees relating to Civic and Miscellaneous licence types and possible amendments to the duration of licences.

Members heard from the Manager of Legal Services in further explanation to the report including a correction at paragraph 4.7. Where it read 'current financial year and the following two financial years' should instead have stated 'previous, current and the next financial year'. The Committee then agreed:-

- (1) to note the terms of the fee review and the exercise undertaken by officers;
- (2) to note the financial position of the licensing function following the aforementioned fee review; and
- (3) to note the adoption of a two or three year type will not deliver the level of savings that will allow a reduction in licence fees.

The meeting closed at 4:05 p.m.