

MINUTE of MEETING of the LICENSING COMMITTEE (PRIVATE) of WEST Lothian Council held within Council Chambers, West Lothian Civic Centre, on 26 September 2018.

Present – Councillors Peter Heggie (Chair), George Paul, Dom McGuire

Apologies – Councillor Harry Cartmill, Chris Horne

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. MINUTE

The committee confirmed the Minute of its meeting held on 29 August 2018 as a correct record. The Minute was thereafter signed by the Chair.

3. PRIVATE SESSION

The committee resolved under section 50(A) (4) of the Local Government (Scotland) Act 1973, that the public be excluded from the meeting during consideration of the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 3, 12 and 14 of Part 1 of Schedule 7A of the Act.

4. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 - STREET TRADER'S LICENCE - ITEM 6

Introductions were made by all parties.

The applicant was in attendance and was unrepresented. The applicant confirmed she was content to continue without representation.

Also in attendance was PC Tom White, Police Scotland.

A number of photographs which had been submitted by the applicant were circulated to Police Scotland and the committee. A copy of appendix 2 was also redistributed as the copy attached to the report was not clear.

The committee heard Police Scotland speak in relation to the report and Police Scotland letter.

The applicant was given an opportunity to question PC White.

The committee had an opportunity to question PC White.

The committee heard the applicant speak in support of her application to

disapply condition 25 of the Street Trader's Licence standard conditions.

PC White was given an opportunity to question the applicant.

The committee had an opportunity to question the applicant.

Finally, all parties were given an opportunity to sum up before leaving the meeting room to allow the committee to deliberate in private.

Following private deliberations all parties returned. The committee then made its decision.

#### Decision

To grant the application to vary the Street Trader's Standard Conditions by disapplying Condition 25.

#### 5. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 - PRIVATE HIRE CAR DRIVER'S LICENCE - ITEM 7

The committee noting that the applicant was not in attendance and although satisfied that he had been properly cited agreed to adjourn the case to allow him an opportunity to attend.

#### Decision

To adjourn to 19 December 2018 to allow the applicant an opportunity to be in attendance.

#### 6. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 - PRIVATE HIRE CAR DRIVER'S LICENCE - ITEM 8

The committee noted that the applicant had indicated he was unable to attend the hearing and agreed to adjourn to allow the applicant an opportunity to be in attendance.

#### Decision

To adjourn to 19 December 2018 to allow the applicant an opportunity to be in attendance.

#### 7. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 - PRIVATE HIRE CAR DRIVER'S LICENCE - ITEM 9

Introductions were made by all parties.

The applicant was in attendance and was unrepresented. The applicant confirmed he was content to continue without representation.

Also in attendance was Inspector Euan Smith, Police Scotland.

The Clerk referred the committee to the report.

The applicant confirmed he had no dispute with the contents of the report or Police Scotland's letter of objection.

The committee heard Inspector Smith speak in relation to the letter of objection.

The applicant was given an opportunity to question Inspector Smith.

The committee had an opportunity to question Inspector Smith.

The committee heard the applicant speak in support of his application.

Inspector Smith was given an opportunity to question the applicant.

The committee had an opportunity to question the applicant.

Finally, all parties were given an opportunity to sum up before leaving the room to allow the committee to deliberate in private.

Following private deliberations all parties returned. The committee then made its decision.

#### Decision

To grant the application for a Private Hire Car Driver's Licence.

8. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 - PRIVATE HIRE CAR DRIVER'S LICENCE -ITEM 10

The committee noted that the applicant was not in attendnace and not being satisfied that he had been properly cited agreed to adjourn to allow the applicant an opportunity to attend.

#### Decision

To adjourn to 19 December 2018 to allow the applicant an opportunity to be in attendance.

9. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 - PRIVATE HIRE CAR DRIVER'S LICENCE - ITEM 11

The committee noted that the applicant was not in attendance and although satisfied that he had been properly cited agreed to adjourn to allow the applicant an opportunity to attend.

#### Decision

To adjourn to 28 November 2018 to allow the applicant an opportunity to be in attendance.

10. NOTE ACTION TAKEN IN TERMS OF STANDING ORDER 31

The committee noted the action taken to suspend a taxi driver's licence in terms of Standing Order 31.