

MINUTE of MEETING of the LICENSING COMMITTEE (PRIVATE) held within WEBEX VIRTUAL MEETING ROOM, on 27 JANUARY 2021.

Present – Councillors Peter Heggie (Chair), George Paul, Harry Cartmill, David Dodds, 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 23 February 2020 as a correct record. The Minute was thereafter signed by the Chair.

3. PRIVATE SESSION

The committee resolved under Section 40(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 Schedule 7A of the Act.

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

Councillor Cartmill had not been able to join the meeting at this point and therefore took no part in the consideration or decision of this item of business.

The applicant and Police Scotland took part in the Webex virtual meeting. A Lithuanian interpreter also took part. The interpreter confirmed her qualifications.

Introductions were made and procedures explained. It was also agreed that everything that was said was to be interpreted consecutively.

The committee considered a report (copies of which had been circulated) by the Chief Solicitor with regard to a private hire car driver's licence application in respect of which an objection had been submitted by Police Scotland.

The report recommended that the committee consider and determine the application for a private hire car driver's licence.

Decision

To refuse to grant the application.

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

The applicant and Police Scotland took part in the Webex virtual meeting.

Introductions were made and procedures explained.

The committee considered a report (copies of which had been circulated) by the Chief Solicitor with regard to a private hire car driver's licence application in respect of which an objection had been submitted by Police Scotland.

The report recommended that the committee consider and determine the application for a private hire car driver's licence.

Decision

To adjourn to a date yet to be fixed to await the outcome of criminal proceedings.

6. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 - PRIVATE HIRE CAR LICENCE - ITEM 9

The applicant and Police Scotland took part in the Webex virtual meeting.

Introductions were made and procedures explained.

The committee considered a report (copies of which had been circulated) by the Chief Solicitor with regard to a private hire car driver's licence application.

The report recommended that the committee consider and determine the application for a private hire car driver's licence.

Decision

To delegate authority to the Chief Solicitor to grant the application for a Private Hire Car licence subject to standard conditions if, following an inspection a vehicle is issued with a certificate of compliance having been tested against such conditions by 16 September 2021 or otherwise to refuse.

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

The applicant and Police Scotland took part in the Webex virtual meeting.

Introductions were made and procedures explained.

The committee considered a report (copies of which had been circulated) by the Chief Solicitor with regard to a private hire car driver's licence application in respect of which Police Scotland had submitted an objection.

The report recommended that the committee consider and determine the application for a private hire car driver's licence.

Decision

The committee agreed to grant the application with a warning to the applicant's future conduct and that he should read all licensing conditions carefully.

If the applicant was to come before the committee in future with regard to having committed any offences or breached any of the conditions, it would take a very serious view of the applicant's conduct and consider suspending the licence. The warning would also be noted in the applicant's record