

BUSINESS SERVICES COMMITTEE

LICENSING SUB-COMMITTEE

SKYPE MEETING, 5 JUNE, 2020

- Present:** Councillors F Hood (Chair), R Bruce, A Forsyth, V Harper, D Lonchay, D Robertson, M Roy and A Stirling.
- Officers:** Senior Committee Officer (Allan Bell) and Solicitor (Amanda de Candia), both Legal and Governance.
- In attendance:** Sergeant G Flett, Police Scotland.

1. DECLARATION OF MEMBERS' INTERESTS

The Chair asked members if they had any interests to declare, in terms of the Councillors' Code of Conduct. No interests were declared.

2A. PUBLIC SECTOR EQUALITY DUTY

In taking decisions on the undernoted items of business, the Sub-Committee **agreed**, in terms of Section 149 of the Equality Act 2010:-

- (1) to have due regard to the need to:-
 - (a) eliminate discrimination, harassment and victimisation;
 - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
 - (c) foster relations between those who share a protected characteristic and persons who do not share it, and
- (2) to consider, where an equality impact assessment has been provided, its contents and to take those into consideration when reaching a decision.

2B. CONFIDENTIAL INFORMATION

The Sub-Committee **agreed**, in terms of Section 50A(2) of the Local Government (Scotland) Act 1973, to exclude the public from the meeting during consideration of Item 4 below, on account of the likely disclosure of confidential information, in breach of the obligation of confidence.

3. MINUTE OF MEETING OF THE SUB-COMMITTEE OF 24 APRIL, 2020

On consideration of the circulated Minute of Meeting of the Sub-Committee of 24 April, 2020, members **approved** it as a correct.

4. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – APPLICATIONS FOR DETERMINATION

(a) Application for a Taxi Driver's Licence (Case No. 999)

There had been circulated a report dated 21 May, 2020, by the Director of Business Services, which (1) requested that consideration be given to an application for the grant of a taxi driver's licence (identified as Case No. 999) and (2) detailed information relevant to the application.

Having heard that an objection had been submitted by the Chief Constable of Police Scotland in which he had requested that, on the basis that justice could not otherwise be done, evidence of protected convictions required to be made available to members, the Sub-Committee **agreed** unanimously that the protected convictions should be taken into account.

Having heard from the applicant and the representative of the Chief Constable, the Sub-Committee **agreed** unanimously that the licence be granted for a period of one year.

(b) Application for a Taxi Driver's Licence (Case No. 1000)

With reference to the Minute of Meeting of the Sub-Committee of 7 February, 2020 (Item 4(b)), when it had been agreed to defer consideration of an application for the grant of a taxi driver's licence (identified as Case No. 1000) to a future meeting to enable members to be advised of the outcome of pending criminal charges against the applicant, there was circulated a report dated 20 May, 2020, by the Director of Business Services, which (1) requested that consideration be given to the application, in respect of which the Chief Constable had made representations and (2) detailed information relevant to the application.

Thereafter, having heard from the applicant and the representative of the Chief Constable, members **agreed**, by a majority, to defer consideration of the application to the next meeting of the Sub-Committee, in order that further information regarding the pending criminal charges might be made available.

(c) Application for a Taxi Driver's Licence (Case No. 1001)

There had been circulated a report dated 21 May, 2020, by the Director of Business Services, which (1) requested that consideration be given to an application for the grant of a taxi driver's licence (identified as Case No. 1001) and (2) detailed information relevant to the application.

Having heard from the applicant and the representative of the Chief Constable, the Sub-Committee **agreed** unanimously that the licence be granted for a period of three years.

(d) Application for Renewal of a Taxi Driver's Licence (Case No. 1002)

There had been circulated a report dated 21 May, 2020, by the Director of Business Services, which (1) requested that consideration be given to an application for the

renewal of a taxi driver's licence (identified as Case No. 1002), in respect of which the Chief Constable had made representations and (2) detailed information relevant to the application.

Having heard from the applicant and his representative, and the Chief Constable's representative, Councillor Forsyth, seconded by Councillor Robertson, **moved** that the licence be granted for a period of three years.

As an amendment, Councillor Stirling, seconded by Councillor Harper, **moved** that the licence be granted for a period of one year.

Members of the Sub-Committee voted as follows:-

for the motion	(2)	Councillors Forsyth and Robertson.
for the amendment	(6)	Councillors Bruce, Harper, Hood, Lonchay, Roy and Stirling.

The amendment was carried in the following terms:-

that the licence be granted for a period of one year.