

## Committee Minutes

---

# Licensing Sub-Committee of the Regulatory Committee

Edinburgh, 16 March 2011

**Present:** - Councillors Keir (Convener), Cairns, McKay, Mowat and Snowden.

### 1 Resolution to Consider in Private

The Sub-Committee, under Section 50 (A)(4) of the Local Government (Scotland) Act 1973, excluded the public from the meeting for the following items of business on the grounds that they involved the disclosure of exempt information as defined in Paragraphs 3, 12 and 14 of part 1 of schedule 7(A) of the Act.

### 2 Applications for Miscellaneous Licences – Civic Government (Scotland) Act 1982

The Director of Corporate Services provided details of 15 applications for Miscellaneous Licences under the Civic Government (Scotland) Act 1982.

The Committee agreed in the interests of public safety, to hear objections to applications submitted outwith the 21 day period in terms of Paragraph 3(1) of Schedule 1 of the Civic Government (Scotland) Act 1982,

#### Decision

That the applications be determined as detailed in the Confidential Schedule signed by the Convener, with reference to this minute.

(Reference- applications, letter in relation to item B1.15, submitted.)

### **3 Request for Refund of Application Fee (agenda item B4)**

The Director of Corporate Services provided details of a request for a refund of a private hire car licence application fee where the applicant had been refused the licence.

The report recommended that 2/3 of the licence fee (£1045) be refunded to the applicant as a vehicle had not been examined.

#### **Decision**

To agree the recommendation by the Director of Corporate Services in his report.

(Reference report by the Director of Corporate Services, letter from the applicant, submitted)

### **4 Taxi Driver's Licence – Suspension (agenda item B5)**

The Director of Corporate Services provided details of a complaint by the Chief Constable against a holder of a Taxi Driver's Licence advising that he was no longer a fit and proper person to hold such a licence. The Sub-Committee was invited to consider whether or not to suspend the licence, with or without immediate effect.

The licence holder and his representative were heard.

#### **Decision**

Not to suspend the licence.

(Reference – report by the Director of Corporate Services, submitted.)

### **5 Taxi Driver's Licence – Suspension Taxi Licence – Renewal (agenda item B6)**

The Director of Corporate Services provided details of a complaint received from the Chief Constable requesting the suspension of a Taxi Driver's Licence and objecting to an application for the renewal of a Taxi Licence on the grounds that the Licence holder/applicant was not a fit and proper person to hold these licences.

Licensing Sub-Committee of the  
Regulatory Committee  
16 March 2011

The Sub-Committee was invited to consider whether or not to suspend the Taxi Driver's Licence with or without immediate effect and to consider the renewal application for the Taxi Licence.

The taxi driver licence holder and the taxi licence holders were heard.

**Decision**

- 1) To suspend the Taxi Driver's Licence with immediate effect for the duration of the licence.
- 2) To renew the Taxi licence for a period of 60 days to allow the applicants to resolve the management of the licence, on condition that the vehicle is presented to the Cab Inspector for inspection.

(Reference – report by the Director of Corporate Services, submitted.)

**6 Taxi Driver's Licence – Suspension (agenda item B7)**

The Director of Corporate Services provided details of a complaint by the Chief Constable against a holder of a Taxi Driver's Licence advising that she was no longer a fit and proper person to hold such a licence. The Sub-Committee was invited to consider whether or not to suspend the licence, with or without immediate effect.

The licence holder was heard.

**Decision**

To continue consideration of the matter to a future meeting to await the outcome of legal proceedings.

(Reference – report by the Director of Corporate Services, submitted.)

**7 Private Hire Car Driver's Licence – Suspension (agenda item B8)**

The Director of Corporate Services provided details of a complaint by the Chief Constable against a holder of a Private Hire Car Driver's Licence advising that he was no longer a fit and proper person to hold such a licence. The Sub-Committee was invited to consider whether or not to suspend the licence, with or without immediate effect.

The licence holder was heard.

Licensing Sub-Committee of the  
Regulatory Committee  
16 March 2011

**Decision**

- 1) Not to suspend the licence.
- 2) To instruct the licence holder to undertake modules in Handling Conflict and Stress and Customer Care at his own expense, with proof of attendance submitted to the Head of Legal and Administration Services within three months.

(References – report by the Director of Corporate Services, statement by the licence holder, submitted.)

**8 Taxi Driver's Licence – Renewal – Medical Fitness (Agenda item B9)**

The Director of Corporate Services provided details of a report by the Council's Medical Advisor against a holder of a Taxi Driver's Licence advising that he was unfit to drive and invited the Sub-Committee to consider whether or not to renew the licence, with or without immediate effect.

The licence holder was heard.

**Decision**

To grant the licence, subject to the Council's standard licensing conditions.

(Reference - report by the Director of Corporate Services, submitted)

**9 Taxi Driver's Licence – Renewal – Medical Fitness (Agenda item B10)**

The Director of Corporate Services provided details of a report by the Council's Medical Advisor against a holder of a Taxi Driver's Licence advising that he was unfit to drive and invited the Sub-Committee to consider whether or not to renew the licence, with or without immediate effect.

The licence holder was heard.

Licensing Sub-Committee of the  
Regulatory Committee  
16 March 2011

**Decision**

To continue consideration of the matter to the meeting of the 18 May 2011 for further medical information.

(Reference- report by the Director of Corporate Services, submitted)