

Licensing Committee
Monday, 19 February 2018

Present

Ronnie McNicol, Robert Barr, John Easdale, Todd Ferguson, Scott Gallacher, Jean McClung, Donald L. Reid and Angela Stephen.

In Attendance

W. O'Brien, Solicitor (Licensing), C. Pollock, Licensing Administration Officer, A. Toal, Administrative Assistant, and M. Anderson, Committee Services Team Leader (Chief Executive's Service).

Chair

Councillor McNicol in the Chair.

Apologies for Absence

Davina McTiernan.

1 Declarations of Interest

In terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors, Councillor Gallagher, as an acquaintance of the applicant, declared an interest in Hearing 2 (Gavazzeni) under Agenda Item 3 (Civic Government (Scotland) Act: Licensing Matters), left the meeting for that item of business and took no part in the decision thereon.

2 Exclusion of the Public

The Committee resolved, under Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the Meeting, the press and the public, for the following item of business on the grounds that they involved the likely disclosure of exempt information as defined in Section 50J of, and Schedule 7A to, the Local Government Act 1973. The 'Exempt Information' concerned is that described in Section 7A, Paragraph 6 ("Information relating to the financial or business affairs of any particular person (other than the authority)"), Paragraph 14 ("Any action taken or to be taken in connection with the prevention, investigation or prosecution of a crime") and Paragraph 15 ("The identity of a Protected Informant" - where "Protected Informant" is defined in Part III as a person who informs the Local Authority about a past, present or future crime, breach of statutory duty, breach of planning control, or nuisance).

**3 Civic Government (Scotland) Act 1982 and other Licensing statutes:
Licensing Matters**

Submitted report by the Chief Executive on an application for the grant of a licence in terms of the Civic Government (Scotland) Act 1982.

3.1 Taxi Driver's Licence: TDL/01876 (Renewal) – Alessandro Sirio Gavazzeni

The Committee, at its meeting held on 10 January 2018, agreed, on the basis of the information presented, to proceed to a Hearing in terms of Paragraph 4(2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

The applicant, having been duly cited to attend the meeting of the Committee held on 7 February 2018, was not present or represented. A written submission provided by him was, however, was circulated at the meeting. The Committee unanimously agreed to continue consideration of the application to a Special Meeting on 19 February 2018.

The applicant, having been duly cited to attend, was not present and or represented.

The Committee had regard to a letter from Police Scotland setting out a representation in respect of the application, and to the written submission by the applicant which was circulated at the last meeting.

Decision

Councillor Ferguson, seconded by Councillor Barr, moved that the application be refused in terms of Paragraph 5(3)(a)(ii) of Schedule 1 to the Civic Government (Scotland) Act 1982 on the ground that the applicant was not a fit and proper person to be the holder of the licence. There being no amendment, the motion was declared carried.

The Meeting ended at 12.50 p.m.