

## MEETING OF TEMPORARY LICENSING COMMITTEE

**GORDON HOUSE, INVERURIE, 16 JUNE 2017**

- Present:** Councillors FCP Hood (Chair); C Buchan, Hassan, Mair, Roy, Stirling, and Wilson.
- Apologies:** Councillor Robertson.
- Officers:** Senior Solicitor (P Robertson), and Committee Officer (S Rawlins).
- In attendance:** Inspector K McGeough (Police Scotland).

### 1. DECLARATION OF MEMBERS' INTERESTS.

No interests were declared by any member of the Committee in terms of the Councillors' Code of Conduct.

### 2. RESOLUTIONS

#### (A) PUBLIC SECTOR EQUALITY DUTY

In taking decisions on the undernoted items of business, the 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 good relations between those who share a protected characteristic and persons who do not share it;
- (2) where an Equality Impact Assessment was provided, to consider its contents and take those into account when reaching a decision.

#### (B) EXEMPT INFORMATION

The Committee **agreed**, in terms of Sections 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, that the public and media representatives be excluded from the meeting for Item 4 of the business on account of the likely disclosure of exempt information of the class described in paragraph 6 of Part 1 of Schedule 7A of the Act.

### 3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – CONSIDERATION OF SUSPENSION/REVOCAION OF TAXI DRIVER'S LICENCE (CASE NO. 844)

With reference to the Minute of Meeting of the Temporary Licensing Sub-Committee of 18 May, 2017, item 3, there had been circulated a report dated 22 May, 2017, by the Director of Business Services, which (1) requested that consideration be given to a complaint, submitted by the Chief Constable, seeking the immediate suspension of a taxi driver's licence, and (2) detailed information relevant to the application.

Having considered the terms of the complaint, the Committee unanimously **agreed**:-

- (1) That the carrying on of the activity to which the licence relates has caused, is causing, or is likely to cause public nuisance, or a threat to public order or safety;
- (2) That, based on the evidence produced, the licence holder does not remain a fit and proper person to be the holder of a taxi driver's licence;
- (3) That no condition of the licence has been contravened;
- (4) That the licence holder has not been convicted of an immigration offence or required to pay an immigration penalty;
- (5) That the taxi driver's licence should be suspended;
- (6) That the licence should be suspended for the remainder of the time of the licence; and
- (7) That the circumstances of the case justifies an immediate suspension.