

BUSINESS SERVICES COMMITTEE

LICENSING SUB-COMMITTEE SPECIAL MEETING

SKYPE MEETING, 17 NOVEMBER, 2021

- Present:** Councillors A Stirling (Chair), A Forsyth, M Ewenson, V Harper, D Robertson and M Roy.
- Apologies:** Councillor R Bruce.
- Officers:** Senior Solicitor (Fiona Stewart) and Committee Officer (Kasia Balina), both Legal & People.
- In attendance:** Sergeant Gillian 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 Items 3 and 4 below, on account of the likely disclosure of confidential information, in breach of the obligation of confidence.

3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 PARAGRAPH 12 OF SCHEDULE 1 - CONSIDERATION OF TEMPORARY SUSPENSION OF SKIN PIERCING & TATTOO LICENCE. (CASE NO. 1028)

There had been circulated a report dated 3 November, 2021, by the Director of Business Services which (1) requested that consideration be given to a complaint, submitted by the Chief Constable, seeking the suspension of the skin piercing and tattoo licence, and (2) detailed information relevant to the request.

Having heard from the representative of the Chief Constable, the Sub-Committee **agreed** unanimously:-

- (1) that there was enough evidence before them to allow a determination to be made;
- (2) that the allegations contained within the complaint were justified;
- (3) that the licence should be suspended immediately in terms of paragraph 12 to the Act on the basis that the carrying on of the activity to which the licence related had caused and was likely to cause a serious threat to public order or public safety; and
- (4) that a hearing be fixed on 3 December, 2021 to determine whether the licences should be suspended or revoked under Paragraph 11 of Schedule 1 to the Act.

4. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 PARAGRAPH 12 OF SCHEDULE 1 - CONSIDERATION OF TEMPORARY SUSPENSION OF TAXI DRIVER'S LICENCE. (CASE NO. 1029)

There had been circulated a report dated 12 November, 2021, by the Director of Business Services which (1) requested that consideration be given to a complaint, submitted by the Chief Constable, seeking the suspension of a taxi driver's licence, and (2) detailed information relevant to the request.

Having heard from the representative of the Chief Constable, the Sub-Committee **agreed** unanimously:-

- (1) that there was enough evidence before them to allow a determination to be made;
- (2) that the allegations contained within the complaint were justified;
- (3) that the licence should be suspended immediately in terms of paragraph 12 to the Act on the basis that the carrying on of the activity to which the licence related had caused and was likely to cause a serious threat to public order or public safety; and
- (4) that a hearing be fixed on 3 December, 2021 to determine whether the licences should be suspended or revoked under Paragraph 11 of Schedule 1 to the Act.