

Shetland Islands Council



Executive Manager: Jan-Robert Riise
Director: Christine Ferguson

Governance and Law
Corporate Services Department
8 North Ness Business Park
Lerwick
Shetland
ZE1 0LZ

Telephone: 01595 744550
Committee.services@shetland.gov.uk
www.shetland.gov.uk

If calling please ask for
Leisel Malcolmson
Direct Dial: 01595 744599

Date: 25 September 2023

Dear Sir/Madam

You are invited to the following meeting:

Licensing Committee
Meeting Room, Town Hall, Lerwick
Monday 2 October 2023 at 10.30am or immediately following the Shetland Islands
Area Licensing Board

Apologies for absence should be notified to Leisel Malcolmson at the above number.

Yours faithfully

Executive Manager – Governance and Law

Chair: Mr N Pearson
Vice-Chair: Mr S Leask

AGENDA

- (a) Hold circular calling the meeting as read.
- (b) Apologies
- (c) Declarations of Interest – Members are asked to consider whether they have an interest to declare in relation to any item on the agenda for this meeting. Any Member making a declaration of interest should indicate whether it is a financial or non-financial interest and include some information on the nature of the interest. Advice may be sought from Officers prior to the meeting taking place.

- (d) Confirm the minutes of the meetings held on i) 12 June 2023 and ii) 21 August 2023 (attached).

Item

The following item contains EXEMPT information

1. Taxi , Private Hire Car and Booking Office Licence Application
TP-03



MINUTE

B - PUBLIC

**Licensing Committee
Meeting Room, Town Hall, Lerwick
Monday 12 June 2023 at 11.45am**

Present:

C Hughson	S Leask
M Lyall	N Pearson
L Peterson	

Present (remotely):

T Morton

Apologies:

E Macdonald
R Thomson

In Attendance (Officers):

R Barton, Transport Planning and Projects Officer
L Moar, Team Leader – Environmental Health
P Sutherland, Solicitor
CI Clemenson, Police Scotland
D Manson, Licensing standards Officer
L Malcolmson, Committee Officer

Chair

Mr N Pearson, Chair of the Committee, presided.

Circular

The circular calling the meeting was held as read.

Declarations of Interest

None.

Minutes

The minutes of the Licensing Committee held on 11 April 2022, having been circulated, were confirmed on the motion of Mrs Hughson, seconded by Mr Leask.

On the motion of Mr Pearson, seconded by Mr Leask, the Committee resolved in terms of subsection 4 of Section 50A of the Local Government (Scotland) Act 1973 to exclude the public from this meeting during consideration of the following agenda items on the grounds that it is likely that, if the public were present, there would be disclosure of exempt information as defined in paragraph 6 of Part I of Schedule 7A to the said Act.

01/23 **Taxi, Private Hire Car and Booking Office Licence Application**

The Committee considered a report by the Transport Policy and Projects Officer that sought a decision on the grant of a Taxi Driver's Licence application that could not be granted by Officers under delegated authority.

The Committee were advised that the applicant was present.

The applicant attended the meeting. The Chair explained the process that would be followed and that after deliberation in private, the applicant would be advised of the Committee's decision.

The Committee decided to admit for consideration the application, and were advised of the Police observations, which included a letter from the police providing a detailed account of circumstances around the convictions listed.

Following questions, deliberations were held in private and thereafter the Police and the applicant were advised of the decision of the Committee.

Decision:

The Committee approved the grant of a Taxi Driver's Licence, for a period of 1 year.

02/23 **Street Trader Licence Application**

The Committee considered a report by the Team Leader – Environmental Health that sought a decision on the grant of a Street Trader's Licence application that could not be granted by Officers under delegated authority.

The Committee were advised that the applicant was present. The applicant attended the meeting. The Chair explained the process that would be followed and that after deliberation in private, the applicant would be advised of the Committee's decision.

The Committee decided to admit for consideration the application, and were advised of the Police observations, which included a letter from the police providing a detailed account of circumstances around the convictions listed.

Members were also given time to read a letter from the applicant in support of their application.

Following questions, deliberations were held in private and thereafter the Police and the applicant were advised of the decision of the Committee.

Decision:

The Committee approved the grant of a Street Trader's Licence, for a period of 1 year.

The meeting concluded at 1.20pm.

CHAIR

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MINUTE

B - PUBLIC

**Licensing Committee
Meeting Room, Town Hall, Lerwick
Monday 21 August 2023 at 10.10am**

Present:

C Hughson	S Leask
M Lyall	N Pearson
B Peterson	L Peterson

Present (remotely):

T Morton

Apologies:

None

In Attendance (Officers):

M Craigie, Executive Manager – Transport Planning
P Sutherland, Solicitor
D Manson, Licensing standards Officer
L Malcolmson, Committee Officer

In attendance (Officers) (Remotely):

Sgt S Paterson, Police Scotland

Chair

Mr N Pearson, Chair of the Committee, presided.

Circular

The circular calling the meeting was held as read.

Declarations of Interest

None.

On the motion of Mr Pearson, seconded by Mr Leask, the Committee resolved in terms of subsection 4 of Section 50A of the Local Government (Scotland) Act 1973 to exclude the public from this meeting during consideration of the following agenda item on the grounds that it is likely that, if the public were present, there would be disclosure of exempt information as defined in paragraph 6 of Part I of Schedule 7A to the said Act.

03/23 Taxi, Private Hire Car and Booking Office Licence Application

The Committee considered a report by the Transport Policy and Projects Officer that sought a decision on the grant of a Taxi Driver's Licence application that could not be granted by Officers under delegated authority.

The Committee were advised that the applicant was not present, but that they had submitted a letter in support of their application.

The Chair explained the process that would be followed and that after deliberation in private, the applicant would be advised of the Committee's decision in writing.

The Committee decided to admit for consideration the application, and were advised of the Police observations, which included a letter from the police providing a detailed account of circumstances around the convictions listed.

Following questions, deliberations were held in private and thereafter the Police were advised of the decision of the Committee, that the applicant would be informed in writing and that the applicant had the right to appeal the Committee's decision.

Decision:

The Committee refused the grant of a Taxi Driver's Licence on the grounds that the applicant is not a fit and proper person to hold a licence.

The meeting concluded at 10.40am.

CHAIR

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