

FALKIRK COUNCIL

MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 7 AUGUST 2013 at 9.30 A.M.

COUNCILLORS:

Gordon Hughes
Baillie Joan Paterson (Depute Convener)
Depute Provost John Patrick
Provost Pat Reid (Convener)
Anne Ritchie

OFFICERS:

Bryan Douglas, Licensing Co-ordinator
Rose Mary Glackin, Chief Governance Officer
Brian Samson, Licensing Enforcement Officer (for agenda item 5 (minute CL47)
Antonia Sobieraj, Committee Officer

CL43. APOLOGIES

Apologies were intimated on behalf of Baillie Buchanan and Councillors Blackwood, McNally and Turner.

CL44. DECLARATIONS OF INTEREST

Councillor Ritchie declared a non financial interest in Item 7 (minute CL49) by virtue of her being acquainted with the applicant in consequence of which she recused herself from consideration of the item, having regard to the objective test in the Code of Conduct.

CL45. MINUTES

Decision

- (a) The minute of the meeting of the Civic Licensing Committee on 5 June 2013 was approved; and
- (b) The minute of the special meeting of the Civic Licensing Committee on 27 June 2013 was approved.

CL46. LIST OF APPLICATIONS GRANTED UNDER DELEGATED POWERS AND NOTIFICATIONS OF PUBLIC PROCESSIONS RECEIVED IN MAY AND JUNE 2013

The Committee considered a report by the Chief Governance Officer detailing (a) applications granted under delegated powers between 1 May and 30 June 2013 in terms of the Civic Government (Scotland) Act 1982 and the Marriage (Approval of Places) (Scotland) Regulations 2002, and (b) notifications of public processions received during the same period.

Decision

The Committee noted the Report.

CL47. CIVIC LICENSING ENFORCEMENT - JUNE 2013

The Committee considered a report by the Chief Governance Officer giving an overview of enforcement action taken with regard to Civic Licensing activities during June 2013.

Decision

The Committee noted the Report.

CL48. EXCLUSION OF PUBLIC

RESOLVED in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the meeting the press and public for the following items of business on the ground that they would involve the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 7A to the said Act.

In accordance with her declaration of interest, Councillor Ritchie left the meeting prior to consideration of the following item of business.

CL49. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr C, entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application for the grant of a new taxi driver licence (a) advising of the background to the application; (b) detailing the consultations undertaken and the responses received, and (c) detailing the applicant's record.

Mr C spoke in support of the application.

Questions were then asked by Members of the Committee.

Decision

The Committee agreed:-

- (1) that the applicant be given a final opportunity to take and pass the knowledge test;**
- (2) that should the applicant fail the knowledge test, to authorise the Chief Governance Officer to refuse the licence without further reference to Committee;**
- (3) that should the applicant pass the knowledge test, officers would arrange for the applicant to sit the Council's medical test;**
- (4) that should the applicant pass both tests, to authorise the Chief Governance Officer to grant the taxi driver licence; and**
- (5) that should the applicant pass the knowledge test but fail the medical test, that the application be considered at a future meeting of the Committee.**

Councillor Ritchie re-entered the meeting following consideration of the foregoing item of business.

CL50. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr McI, entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application for the grant of a new taxi driver licence (a) advising of the background to the application; (b) detailing the consultations undertaken and the responses received, and (c) detailing the applicant's record.

Mr McI spoke in support of the application.

Questions were then asked by Members of the Committee.

Decision

The Committee agreed to grant the taxi driver licence for a period of one year subject to the:-

- (a) applicant passing the Council's medical test, and**
- (b) standard conditions.**

CL51. APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER LICENCE

The applicant, Mr D, entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application the renewal of a private hire car driver licence (a) advising of the background to the application; (b) detailing the consultations undertaken and the responses received, and (c) detailing the applicant's record.

Mr D spoke in support of the application.

Questions were then asked by Members of the Committee.

Decision

The Committee agreed to renew the private hire car driver licence for a period of one year with a warning letter detailing the standards expected of private hire car drivers and subject to the standard conditions.

CL52. APPLICATION FOR THE GRANT OF A NEW LATE HOURS CATERING LICENCE

The applicant, Mr A, entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application for the grant of a new late hours catering licence (a) advising of the background to the application; (b) detailing the consultations undertaken and the responses received, and (c) attaching as appendices 1 to 3 respectively, the late hours catering policy, the late hours catering conditions and a location plan.

Mr A spoke in support of the application.

Questions were then asked by Members of the Committee.

Decision

The Committee agreed that a departure from the Council's policy was justified and therefore to grant the late hours catering licence for a period of one year subject to the standard conditions.

CL53. APPLICATION FOR THE GRANT OF A NEW SKIN PIERCING AND TATTOOING LICENCE

The applicant, Mr H, and Mr Oliver, Food and Safety Co-ordinator, Falkirk Council, entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application for the grant of a new skin piercing and tattooing licence (a) advising of the

background to the application; and (b) detailing the consultations undertaken and the responses received.

Mr H spoke in support of the application.

Mr Oliver, Food and Safety Co-ordinator, Falkirk Council spoke in relation to the application.

Questions were then asked by Members of the Committee.

Decision

The Committee agreed to grant the skin piercing and tattooing licence for a period of one year subject to the standard conditions.

CL54. APPLICATION FOR THE GRANT OF A NEW SKIN PIERCING AND TATTOOING LICENCE

The applicant, Mr McC, and Mr Oliver, Food and Safety Co-ordinator, Falkirk Council, entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application for the grant of a new skin piercing and tattooing licence (a) advising of the background to the application; and (b) detailing the consultations undertaken and the responses received.

Mr McC spoke in support of the application.

Mr Oliver, Food and Safety Co-ordinator, Falkirk Council spoke in relation to the application.

Questions were then asked by Members of the Committee.

Decision

The Committee agreed to grant the skin piercing and tattooing licence for a period of one year subject to the standard conditions.