

FALKIRK COUNCIL

MINUTE of SPECIAL MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on MONDAY 10 DECEMBER 2007 at 10.30 AM.

PRESENT: Provost Reid; Councillors Blackwood, Hughes, Kenna, McLuckie, McNally, Nicol and Waddell.

CONVENER: Councillor Nicol.

APOLOGIES: Councillors Nimmo and Thomson.

ATTENDING: Acting Director of Law and Administration Services; Consumer Protection Manager; Senior Licensing Assistant (I Renton) and Committee Services Officer (B Douglas).

CL35. MINUTE

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Civic Licensing Committee held on 15 November 2007.

CL36. 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 grounds that they would involve the likely disclosure of exempt information as defined in Paragraphs 3 and 6 of Part 1 of Schedule 7A to the said Act.

CL37. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The Consumer Protection Manager advised that the application had been withdrawn on that basis, the Report was not considered by Committee.

CL38. APPLICATION FOR THE GRANT OF 2 ADDITIONAL NEW PRIVATE HIRE CAR OPERATOR LICENSES

Two representatives of the applicant company, Mr B and Ms L B entered the meeting at this point.

There was submitted Report (circulated) dated 4 December 2007 by the Director of Development Services on an application for two additional private hire car operator licences advising (a) on the background to the application, and (b) that one of the directors of the applicant company had an unspent conditional offer recorded against him.

The representatives were heard in support of the application.

Questions were then asked of the representatives by members.

AGREED that the application for two additional new private hire car operator licenses be **GRANTED**.

Mr B and Ms LB left the meeting at this point.

CL39. APPLICATION FOR THE GRANT OF AN ADDITIONAL NEW PRIVATE HIRE CAR OPERATOR LICENCE

Mr JB a partner in the applicant firm, entered the meeting at this point.

There was submitted Report (circulated) dated 4 December 2007 by the Director of Development Services on an application for an additional new private hire car operator licence advising (a) on the background to the application, and (b) that one of the partners in the applicant firm had two unspent conditional offers recorded against her.

Mr JB was heard in support of the application and on the circumstances of the unspent conditional offers.

Questions were then asked of Mr JB by members.

AGREED that the application for an additional new private hire car operator licence be **GRANTED**.

Mr JB left the meeting at this point.

CL40. APPLICATION FOR VARIATION OF A TAXI OPERATOR LICENCE

Mr F, a partner in McLachlan taxis, entered the meeting at this point.

With reference to Minute of Meeting of the Civic Licensing Committee held on 15 November 2007 (paragraph CL26 refers), there was submitted Report (circulated) dated 4 December 2007 on an application for the variation of a taxi operator licence advising on the background to the application.

Mr F was heard in support of the application.

Questions were then asked of Mr F by members.

AGREED that an adjournment take place to enable the Committee consider the submission.

The applicant's representative left and was then recalled to the meeting.

AGREED:

- (1) to **GRANT** a variation of the Licence for 1 year to allow the applicant to remove his rooftop taxi sign and rear plate but that this variation is limited strictly and only to those occasions when the applicant is carrying out chauffeur or corporate contract hire, and (i) the aforementioned items are reinstated and any other activity being undertake in terms of the licence (ii) the window stickers issued by the licensing authority and showing details of the plate number, vehicle registration number, test expiry date and address for comments be displayed at all times and (iii) the applicant arranges for his full name and licence number to be printed on to the nearside of the taxi as detailed in condition 11 of Falkirk Council's taxi licence conditions;
- (2) that a review of the policy adopted by Council on 15 October 1998 governing taxi and private hire car vehicles and of the conditions attached to such licences be undertaken; and
- (3) that any request by the applicant for a continuation of the variation beyond the period of one year be brought back to Committee for further consideration in light of the aforementioned review.

Mr F left the meeting at this point.

CL41. APPLICATION FOR THE GRANT OF A NEW HOUSE IN MULTIPLE OCCUPATION LICENCE

The applicant, Mrs A, the proposed day to day manager, Mr A entered the meeting at this point.

There was submitted Report (circulated) dated 4 December 2007 on an application for a new House in Multiple Occupation licence advising on the background to the application.

Mr A was heard in support of the application.

Questions were then asked of Mr A by members.

AGREED that an adjournment take place to enable the Committee to consider the submission.

The applicant and Mr A left and were then recalled to the meeting.

AGREED that the application for a new House in Multiple Occupation licence be **REFUSED** in terms of Schedule 1, paragraph 5 (3)(a)(ii) of the Civic Government (Scotland) Act 1982, on the ground that the day to day manager responsible for management of the licence is not a fit and proper person to be the holder of the licence.

Provost Reid and Councillor Blackwood left the meeting during consideration of the foregoing item of business.