

MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 30 SEPTEMBER 2015 at 9.30 a.m.

COUNCILLORS:

Jim Blackwood
Baillie William Buchanan
Paul Garner
Baillie Joan Paterson
Provost Pat Reid (Convener)
Ann Ritchie
Sandy Turner

OFFICERS:

Bryan Douglas, Licensing Co-ordinator
Arlene Fraser, Committee Services Officer
Rose Mary Glackin, Chief Governance Officer
Frances Kobiela, Senior Solicitor

CL70. APOLOGY

An apology was intimated on behalf of Councillor Hughes.

CL71. DECLARATIONS OF INTEREST

No declarations were intimated at this stage.

CL72. MINUTE

Decision

The minute of the meeting of the Civic Licensing Committee held on 1 September 2015 was approved.

CL73. LIST OF APPLICATIONS GRANTED UNDER DELEGATED POWERS IN AUGUST 2015 AND NOTIFICATIONS OF PUBLIC PROCESSIONS PENDING

The committee considered a report by the Chief Governance Officer detailing (a) applications granted under delegated powers between 1 August and 31 August 2015 in terms of the Civic Government (Scotland) Act 1982, and (b) notifications of pending public processions.

Decision

The committee noted the report.

CL74. CIVIC LICENSING ENFORCEMENT – AUGUST

The committee considered a report by the Chief Governance Officer giving an overview of enforcement action taken with regard to Civic Licensing activities during August 2015.

The committee noted the report.

CL75. 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.

CL76. REQUEST FOR NOTICE OF EXEMPTION FROM CARRYING A GUIDE DOG, A HEARING DOG OR AN ASSISTANCE DOG

The applicant, Mr H, entered the meeting.

With reference to Minute of Meeting of the Civic Licensing Committee held on 17 June 2015 (paragraph CL39 refers), the committee considered a report by the Chief Governance Officer on an application from the licence holder for a notice of exemption from the requirement to carry a guide dog and a hearing dog or an assistance dog.

The report set out (a) the background to the application, (b) the implications of the Taxi Driver's Licences (Carrying of Guide Dogs and Hearing Dogs) (Scotland) Regulations 2003, and (c) the results of the medical allergy tests undertaken by the applicant.

Mr H spoke in support of his application.

Questions were then asked by members of the committee.

Decision

The committee agreed to grant a notice of exemption from the requirement to carry a guide dog, a hearing dog or an assistance dog for a period of three years.

CL77. APPLICATION FOR THE GRANT OF AN ADDITIONAL TAXI OPERATOR LICENCE

The Director of the applicant company, Mr F, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the grant of an additional taxi operator licence (a) advising of the background to the application, and (b) detailing the consultations undertaken and the responses received.

Mr F spoke in support of the application.

Questions were then asked by members of the committee.

Decision

The committee agreed to grant the licence for a period of one year subject to the standard conditions.

CL78. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr S, was not in attendance.

Having heard from the Licensing Co-ordinator that the applicant had been given the opportunity to attend, but had advised in writing that due to work commitments he was unable to do so the committee determined the application in his absence.

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) summarising the consultations undertaken and responses received, and (c) detailing the applicant's record.

Decision

The committee agreed:

- (i) that the applicant be given a final opportunity to take and pass the knowledge test;
- (ii) that, should the applicant fail the knowledge test, the Chief Governance Officer is authorised to refuse the licence without further reference to committee;
- (iii) that, should the applicant take and pass the knowledge test, officers would arrange for the applicant to sit the Council's medical test;
- (iv) that, should the applicant pass both tests, the Chief Governance Officer is authorised to grant the taxi driver licence, and
- (v) that, should the applicant pass the knowledge test but fail the medical test, the application be considered at a future meeting of the committee.

CL79. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr M, was not in attendance.

The Committee heard from the Licensing Co-ordinator who confirmed that the applicant would not be in attendance and had intimated that he wished to withdraw his application for a new taxi driver licence.

Decision

The committee NOTED that Mr M had withdrawn his application for a new taxi driver licence.

CL80. APPLICATION FOR THE GRANT OF A NEW PRIVATE HIRE CAR DRIVER LICENCE

The applicant, Mr G, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the grant of a new private hire car driver licence (a) setting out the medical requirements for taxi

drivers; (b) summarising the consultations undertaken and responses received, and (c) detailing the applicant's record.

Mr G spoke in support of the application.

Questions were then asked by members of the committee.

The committee adjourned at 9.55 a.m. and reconvened at 10.00 a.m. with all members present as per the sederunt.

Decision

The committee agreed to instruct officers to arrange for the applicant to undertake a medical; and should he fail the medical to remit the matter back to committee for consideration; should the applicant pass the medical, to authorise the Chief Governance Officer to grant the private hire car driver licence for a period of six months, subject to the standard conditions. Should the applicant apply to renew the licence thereafter, then the application will be remitted back to the committee for consideration.

CL81. APPLICATION FOR THE GRANT OF A NEW PRIVATE HIRE CAR DRIVER LICENCE

The applicant, Mr H, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the grant of a new private hire car driver licence (a) setting out the medical requirements for taxi drivers; (b) summarising the consultations undertaken and responses received, and (c) detailing the applicant's record.

Mr H spoke in support of the application.

Questions were then asked by members of the committee.

Decision

The committee agreed to grant the private hire car driver licence for a period of six months, together with a warning letter, and subject to the standard conditions. Should the applicant apply to renew the licence thereafter, then the application will be remitted back to the committee for consideration.