

MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 4 NOVEMBER 2015 at 2.00 p.m.

COUNCILLORS: Jim Blackwood
Paul Garner
Gordon Hughes
Baillie Joan Paterson
Provost Pat Reid (Convener)
Sandy Turner

OFFICERS: Bryan Douglas, Licensing Co-ordinator
Arlene Fraser, Committee Services Officer
Rose Mary Glackin, Chief Governance Officer
Frances Kobiela, Senior Solicitor
Brian Samson, Enforcement Officer (CL82-CL86 only)

CL82. APOLOGIES

Apologies for absence were intimated on behalf of Baillie William Buchanan, Depute Provost Patrick and Councillor Ann Ritchie.

CL83. DECLARATIONS OF INTEREST

No declarations were intimated.

CL84. MINUTE

Decision

The minute of the meeting of the Civic Licensing Committee held on 30 September 2015 was approved.

CL85. LIST OF APPLICATIONS GRANTED UNDER DELEGATED POWERS IN SEPTEMBER 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 September and 30 September 2015 in terms of the Civic Government (Scotland) Act 1982, and (b) notifications of pending public processions.

Decision

The committee noted the report.

CL86. CIVIC LICENSING ENFORCEMENT – SEPTEMBER 2015

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

The committee noted the report.

CL87. 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.

CL88. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr F, accompanied by his father, Mr F, 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) summarising the consultations undertaken and responses received, and (c) detailing the applicant's record.

Mr F spoke in support of the application.

Questions were then asked by members of the committee.

AGREED to a short adjournment in order to enable the committee to consider the applicant's submission.

The applicant and his father were then recalled to the meeting.

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.

CL89. APPLICATIONS FOR THE GRANT OF FIVE NEW PRIVATE HIRE CAR OPERATOR LICENCES

Mr B, an employee and representative of the applicant company, entered the meeting.

The committee considered a report by the Chief Governance Officer on applications received for the grant of five new private hire car operator licences (a) advising of the background to the applications, and (b) summarising the consultations undertaken and responses received.

Mr B spoke in support of the applications.

Questions were then asked by members of the committee.

Decision

The committee agreed to grant the five private hire car operator licences for a period of one year, subject to the standard conditions.

CL90. APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR OPERATOR LICENCE

The applicant, Mr A, accompanied by his partner, Ms M, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the renewal and variation of a private hire car operator licence (a) advising of the background to the application; (b) detailing the consultations undertaken and responses received, and (c) attaching as an appendix, a written request by the applicant to vary the licence condition 8 to allow the sign to be of a magnetic type that is removable, and the reasons why he wishes to use removable signs.

Mr A 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 operator licence for a period of one year, subject to the standard conditions as approved but with a variation to condition 8 to allow the sign referred to, to be magnetic signs of similar size and design supplied by the Licensing authority and paid for by the applicant. The applicant will be excused the duty to display the signs when the vehicle is not undertaking private hire car activities but the signs must be kept within the vehicle at all times.

CL91. APPLICATION FOR THE RENEWAL OF A STREET TRADER LICENCE

The applicant, Mr G, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the renewal of a street trader licence (a) advising of the background to the application; (b) detailing 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.

Decision

The Committee agreed to renew the street trader's licence, for a period of three years, subject to the standard conditions.