

The background of the slide features a large, light blue watermark of the City of Vancouver's coat of arms. The crest is a shield divided into four quadrants. The top-left quadrant shows a beaver, the top-right a stag, the bottom-left a sailing ship, and the bottom-right a grizzly bear. Above the shield is a crown with four maple leaves. A banner at the bottom contains the motto 'CANE FOR A'.

AGENDA ITEM

3

MINUTE

DRAFT

MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 10 FEBRUARY 2016 at 9.30 a.m.

COUNCILLORS:

Jim Blackwood
Baillie William Buchanan
Paul Garner
Gordon Hughes
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
Brian Samson, Enforcement Officer

CL124. APOLOGY

An apology for absence was intimated on behalf of Depute Provost John Patrick.

CL125. DECLARATIONS OF INTEREST

No declarations were intimated.

CL126. MINUTE

Decision

The minute of the meeting of the Civic Licensing Committee held on 13 January 2016 was approved.

CL127. LIST OF APPLICATIONS GRANTED UNDER DELEGATED POWERS IN DECEMBER 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 December and 31 December 2015 in terms of the Civic Government (Scotland) Act 1982, and (b) notifications of pending public processions.

Decision

The committee noted the report.

CL128. CIVIC LICENSING ENFORCEMENT – DECEMBER 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 December 2015.

The committee noted the report.

Councillor Hughes entered the meeting during consideration of the foregoing item of business.

CL129. 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.

CL130. SUSPENSION HEARING IN RELATION TO PRIVATE HIRE CAR DRIVER LICENCE NO.450

Sergeant I McGregor and Mr B Renton, both representatives of Police Scotland, entered the meeting. The licenceholder, Mr M, was not in attendance.

The committee considered a report by the Chief Governance Officer (a) referring to a letter of complaint dated 11 January 2016, submitted by Police Scotland requesting the immediate suspension of the licenceholder's private hire car driver licence; (b) setting out the details of the complaint; (c) summarising the decision taken by the Chief Governance Officer, and (d) advising that a hearing under paragraph 11 of schedule 1 of the Civic Government (Scotland) Act 1982 required to be held.

After hearing from the Licensing Co-ordinator, the Committee decided to hold the hearing in the absence of the licenceholder and the letter of complaint was circulated to members.

Sergeant McGregor was heard in relation to the letter of complaint.

Questions were asked by members of the committee.

Decision

The committee agreed to suspend the licence for the unexpired portion of its duration, in terms of the Civic Government (Scotland) Act 1982, Schedule 1 paragraphs 11 (2)(a) & (c), on the basis that, in the opinion of the committee, the licenceholder was not a fit and proper person to be the holder of such a licence, and the carrying on of the activity to which the licence relates has caused, is causing or is likely to cause undue public nuisance or a threat to public order or safety. The Committee additionally determined that the licence should be suspended immediately in terms of the Civic Government (Scotland) Act 1982, Schedule 1 paragraph 11(10).

Baillie Paterson entered the meeting during consideration of the foregoing item of business.

CL131. APPLICATION FOR THE GRANT OF A NEW TAXI OPERATOR LICENCE

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

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

Mr M spoke in support of the application.

Questions were then asked by members of the committee.

Decision

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

CL132. APPLICATION FOR THE GRANT OF A NEW PRIVATE HIRE CAR OPERATOR LICENCE

Mr M, an employee and representative of the applicant company, 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 operator licence (a) advising on the background to the application; (b) summarising the consultations undertaken and responses received, and (c) detailing the applicant's record.

Mr M spoke in support of the application.

Questions were then asked by members of the committee.

Decision

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

CL133. APPLICATION FOR THE GRANT OF A NEW PRIVATE HIRE CAR 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 private hire car driver licence (a) advising on the background to the application; (b) summarising the consultations undertaken and 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 to allow 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 one year, subject to the standard conditions.

CL134. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

The applicant, Mr D, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the renewal of a taxi driver licence (a) advising on the background to the application; (b) summarising the consultations undertaken and 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 taxi driver licence for a period of one year subject to the standard conditions.

CL135. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER 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 taxi driver licence (a) advising on the background to the application; (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.

Decision

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

CL136. APPLICATION FOR THE GRANT OF A TEMPORARY STREET TRADER LICENCE FOR WHEELED REFUSE BIN/ REFUSE CONTAINER CLEANING

The applicant, Mr E, was not in attendance.

After hearing from the Licensing Co-ordinator on the background to the application, the committee agreed to consider the application in the applicant's absence.

The committee considered a report by the Chief Governance Officer on an application for the grant of a temporary street trader licence for wheeled refuse bin/refuse container cleaning (a) advising on the background to the application; (b) summarising the consultations undertaken and responses received, and (c) detailing the applicant's record.

Decision

The committee agreed to refuse to grant the temporary street trader licence for wheeled bin/refuse container cleaning licence in terms of the Civic Government (Scotland) Act 1982, Schedule 1 paragraph 5(3)(a)(ii) on the ground that the applicant was not a fit and proper person to be the holder of such a licence.