



Agenda Item 3

Minute

DRAFT

Minute of meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Wednesday 24 August 2016 at 9.30 a.m.

Councillors: Jim Blackwood
Baillie William Buchanan
Paul Garner
Gordon Hughes
Baillie Joan Paterson
Depute Provost John Patrick
Provost Pat Reid (convener)
Ann Ritchie
Sandy Turner

Officers: Allison Barr, Consumer Protection Manager
Bryan Douglas, Licensing Co-ordinator
Arlene Fraser, Committee Services Officer
Rose Mary Glackin, Chief Governance Officer
Frances Kobiela, Senior Solicitor
Brian Samson, Licensing Enforcement Officer

CL39. Apologies

No apologies for absence were intimated.

CL40. Declarations of Interest

Councillor Ritchie declared a non-financial interest in Item CL50 and recused herself from consideration of the item, having regard to the objective test in the Code of Conduct.

CL41. Minute

Decision

The minute of the meeting of the Civic Licensing Committee held on 15 June 2016 was approved.

CL42. List of Applications Granted under Delegated Powers in May and June 2016 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 May and 30 June 2016 in terms of the Civic Government (Scotland) Act 1982, and (b) notifications of pending public processions.

Decision

The committee noted the report.

CL43. Civic Licensing Enforcement - May/June 2016

The committee considered a report by the Chief Governance Officer giving an overview of enforcement action taken with regard to Civic Licensing activities during May and June 2016.

Decision

The committee noted the report.

CL44. 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.

CL45. Application for the Renewal of a Late Hours Catering Licence

The applicant was not in attendance.

The objectors, Mr C and Mrs U entered the meeting.

The Licensing Co-ordinator advised that he had received a letter from the applicant's agent advising that due to a long standing commitment, his client was unable to attend today's meeting, and requested that the matter be continued.

The committee were also advised that Mr C, objector had submitted additional documentation which the applicant and her agent had still to have sight.

The committee discussed the continuation request and the late submission by the objector.

Decision

The committee agreed to continue the application to a future meeting.

CL46. Application for the Renewal of a Private Hire Car Driver Licence

The applicant, Mr R, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for renewal of a 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 R 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 subject to the standard conditions.

CL47. Application for the Grant of a New Taxi Driver Licence

The applicant, Mr H, and his father, both 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 on the background to the application; (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.

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 taxi driver licence for a period of one year, subject to the standard conditions.

CL48. Application for the Grant of a New Taxi 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 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 H spoke in support of the application.

Questions were then asked by members of the committee.

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

CL49. Application for the Grant of 5 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 5 new private hire car operator licences (a) advising on the background to the applications, and (b) summarising the consultations undertaken and responses received.

Decision

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

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

CL50. Application for the Grant of a New Window Cleaner Licence

The applicant was not in attendance.

The committee considered a report by the Chief Governance Officer on an application for the grant of a new window cleaner licence (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 continue the application to allow the applicant to be in attendance.

Councillor Ritchie rejoined the meeting after consideration of the previous item.

CL51. Application for the Grant of a New Skin Piercing and Tattooing Licence

The applicant, Mr W, was accompanied by Ms H, manager.

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; (b) outlining the licence conditions; (c) detailing the consultations undertaken and responses received, and (d) summarising the experience and training of the proposed tattooist.

Mr W spoke in support of 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.

The committee adjourned at 10.30 a.m. and reconvened at 10.35 a.m. with all members present as per the sederunt, with the exception of Councillor Garner.

CL52. Notification of Intention to Hold a Public Procession – Scottish Recovery Consortium

The organiser's representatives, Ms McLaughlin and Mr Windebank, entered the meeting.

Also present for this item were Chief Inspector Damian Armstrong (Police Scotland); Chris Cox and Dot Reid (Development Services, Falkirk Council); Alex Fleming (Falkirk BID); Alasdair McNiven (First Bus), and Ben Mardell (The Helix).

The committee considered a report by the Chief Governance Officer in relation to a notification from the Scottish Recovery Consortium (SRC) of their intention to hold a public procession on Saturday 17 September 2016 commencing at The Kelpies, Helix Park, Falkirk, proceeding along Etna Road, Grahams Road, Park Street, Kerse Lane, Bellevue Street, Callendar Road and concluding at Callendar Park, Callendar Estate, Falkirk. The report (a) advised of the background to the notification; (b) set out the decision making framework and procedures; (c) detailed the consultations undertaken and the responses received, and (d) outlined the considerations to be taken into account by the licensing authority.

Dot Reid, Area Roads Engineer, was heard in relation to the proposals contained in the Traffic Management Plan which was submitted by Coneworx on 23 August and which she stated required further development. She advised that a Temporary Traffic Regulation Order was required and, as an event had taken place earlier this calendar year on a number of the roads proposed for this event, the Roads Authority required permission from the Scottish Ministers. An application had been made to which a response was still awaited. She further advised that Scottish Power would be undertaking planned road works on Grahams Road and that this road is on the proposed parade route. She advised further that the proposed route raised issues of public safety that needed to be addressed. A meeting had taken place with a representative of the Scottish Recovery Consortium, Police Scotland and officers from Falkirk Council to discuss an alternative route for the public procession.

Chief Inspector Armstrong, Police Scotland, was heard in relation to the development of the Traffic Management Plan to address public safety issues and the number of additional police personnel required to be deployed for the event.

Alasdair McNiven, First Bus was heard in relation to the impact the proposed route would have on passengers accessing the town centre. The route proposed included Grahams Road and Callendar Road which were key arterial accesses to the town and could therefore cause disruption to services.

An alternative route along Thornhill Road (avoiding Grahams Road) was suggested.

Alex Fleming, Falkirk BID advised that the proposed alternative route may alleviate the impact on town centre businesses and cause less disruption to those who live, work and visit the town. She also suggested that a review of the start time from 12 noon to 11.00 a.m. may also cause less impact.

Ben Mardell, The Helix, spoke in relation to possible traffic management issues. He advised that Falkirk Football Club's home game on 17 September commenced at 5.30 p.m. and as the parade was due to finish at approximately 4.00 p.m., there was potential for traffic congestion leading in and out of the area.

Ms McLaughlin was heard in response to questions raised by members and, in particular, to egress at the conclusion of the event from Callendar Park and to the proposed alternative route.

The committee adjourned at 11.55 a.m. and reconvened at 12.05 p.m.

Decision

The committee agreed in terms of Section 63(1)(ii) of the Civic Government (Scotland) Act 1982, having had regard to the considerations in section 63(8)(a)(i), (ii) and (iv), imposes the following conditions on the holding of the procession:-

- (1) the organiser of the public procession shall arrange for a Traffic Management Plan to be prepared to the satisfaction of both the Roads Authority and Police Scotland two weeks before the date of the procession;**
- (2) the procession shall commence at 12 noon on Saturday 17 September 2016. The route will be changed to commence at 12 noon from the Kelpies, leaving the Helix Park, proceed along Etna Road, turn left onto Thornhill Road, turn right onto Ladysmill, turn left onto Bellsmeadow Road, turn left onto Callendar Road and thereafter entering and assembling at Callendar Park, and**
- (3) such other conditions as the Chief Governance Officer shall deem appropriate.**