



**Agenda Item**

**3**

**Minute**

**DRAFT**

**Minute of meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Wednesday 5 April 2017 at 9.30 a.m.**

**Councillors:** Baillie Joan Coombes (Convener)  
Gordon Hughes  
Depute Provost Patrick  
Sandy Turner

**Officers:** Frances Kobiela, Senior Solicitor  
Isabel Renton, Senior Licensing Assistant  
Antonia Sobieraj, Committee Services Officer

**CL1. Apologies**

Apologies were intimated on behalf of Provost Reid, Baillie Buchanan and Councillor Blackwood.

**CL2. Declarations of Interest**

No declarations were intimated.

**CL3. Minute**

**Decision**

**The minute of the meeting of the Civic Licensing Committee held on 8 March 2017 was approved.**

**CL4. List of Applications Granted Under Delegated Powers in February 2017 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 and 28 February 2017 in terms of the Civic Government (Scotland) Act 1982; and (b) notifications of pending public processions.

**Decision**

**The Committee noted the report.**

#### **CL5. Civic Licensing Enforcement – February 2017**

The Committee considered a report by the Chief Governance Officer giving an overview of enforcement action taken with regard to Civic Licensing activities during February 2017.

#### **Decision**

**The Committee noted the report.**

#### **CL6. 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.

#### **CL7. Order of Business**

In terms of Standing Order 14.2(i), the Convener advised of a variation to the order of business from that detailed on the agenda for the meeting. The following items have been recorded in the order that they were taken.

#### **CL8. Suspension Hearing in Relation to Taxi Driver Licence No.795**

The licenceholder, Mr C, together with his representative, Mr S, and Sergeant M White, Police Scotland, entered the meeting.

The Committee considered a report by the Chief Governance Officer summarising the background to the request for an immediate suspension of the holder of taxi driver licence No.795.

Mr S advised that he had no preliminary points to make on the competency of the complaint by Police Scotland and confirmed that he had no objection to the letter of complaint being circulated, following which the letter was circulated to members.

Questions were asked of Sergeant White by members of the Committee.

Mr S, the licenceholder's representative was then heard in relation to the complaint.

Questions were asked of the licenceholder, Mr C, by members of the Committee.

There being no further questions, both parties summed up.

The Committee then agreed a short adjournment to enable Committee to consider the submissions.

The licenceholder, Mr C, Mr S and Sergeant White, left and were then recalled to the meeting.

### **Decision**

#### **The Committee agreed:-**

- (1) to take no further action and not to suspend; and**
- (2) to issue a letter to the licenceholder reiterating the standards expected of taxi drivers.**

### **CL9. Application for the Grant of a New Private Hire Car Driver Licence**

The applicant, Mr M, entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application received 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 M spoke in support of the application.

Questions were then asked by members of the Committee.

The Committee then agreed a short adjournment to enable Committee to consider the submission.

The applicant left and was then recalled to the meeting.

### **Decision**

#### **The Committee agreed:-**

- (1) to instruct officers to arrange for the applicant to undertake a medical;**
- (2) that should the applicant fail the medical to refer the matter to the Chief Governance Officer for consideration; and**
- (3) that should the applicant pass the medical, to authorise the Chief Governance Officer to grant the new private hire car driver licence for a period of nine months, subject to the standard conditions.**

#### **CL10. Application for the Grant of a New Private Hire Car Driver Licence**

The applicant, Ms P, entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application received 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.

Ms P spoke in support of the application.

Questions were then asked by members of the Committee.

The Committee then agreed a short adjournment to enable Committee to consider the submission.

The applicant left and was then recalled to the meeting.

#### **Decision**

**The Committee agreed:-**

- (1) to instruct officers to arrange for the applicant to undertake a medical;**
- (2) that should the applicant fail the medical to refer the matter to the Chief Governance Officer for consideration; and**
- (3) that should the applicant pass the medical, to authorise the Chief Governance Officer to grant the new private hire car driver licence for a period of one year, subject to the standard conditions.**

#### **CL11. Application for the Grant of a New Private Hire Car Driver Licence**

The applicant, Mr H, was not in attendance. The Licensing Assistant (Ms Renton) advised the Committee that she had been unable to get in touch with him by telephone. 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 received for the grant of a new private hire car driver licence (a) advising on the background to the application; and (b) summarising the consultations undertaken and responses received.

#### **Decision**

**The Committee agreed to refuse to grant the new private hire car driver licence on the ground that the Committee was not satisfied that the applicant was physically fit to drive a private hire car driver licence as he**

**failed to demonstrate that he meets the Group 2 DVLA medical standards.**

#### **CL12. Application for the Grant of New Taxi Operator Licence**

The applicant, Mr G, entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application received for the grant of a new taxi operator licence (a) advising on the background to the application; and (b) summarising the consultations undertaken and responses received.

Mr G 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.**

#### **CL13. Application for the Grant of a New House in Multiple Occupation Licence**

The applicant, Mr F, entered the meeting.

The Committee considered a report by the Chief Governance Officer on an application received for the grant of a new house in a multiple occupation licence (a) advising on the background to the application; and (b) summarising the consultations undertaken and responses received.

Mr F indicated that he had no further information to add in respect of the application.

Questions were then asked by members of the Committee.

#### **Decision**

**The Committee agreed to grant the new house in multiple occupation licence for a period of three years, subject to the standard conditions.**