



Agenda Item

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Minutes

Minute of meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Wednesday 27 September 2017 at 9.30 a.m.

Councillors: David Aitchison
David Balfour
Lorna Binnie
Robert Bissett
Jim Blackwood
William Buchanan
Jim Flynn
Gordon Hughes (Convener)
James Kerr
Depute Provost Ann Ritchie

Officers: Bryan Douglas, Licensing Co-ordinator
Arlene Fraser, Committee Services Officer
Frances Kobiela, Senior Solicitor
Colin Moodie, Chief Governance Officer
Isabel Renton, Senior Licensing Assistant

CL34. Apologies

There were no apologies.

CL35. Declarations of Interest

No declarations were intimated.

CL36. Minute

Decision

The minute of the meeting of the Civic Licensing Committee held on 23 August 2017 was approved.

CL37. List of Applications Granted Under Delegated Powers in August 2017 and Notifications of Pending Public Processions

The Committee considered a report by the Chief Governance Officer detailing the applications granted under delegated powers between 1 and 31 August 2017 in terms of the Civic Government (Scotland) Act 1982 and notifications of pending public processions.

Decision

The committee noted the report.

CL38. Knowledge Test Failure

The committee considered a report by the Chief Governance Officer providing details of an application for a new taxi driver licence, his knowledge test result, and the options available to members.

Decision

The committee refused to grant the taxi driver licence in terms of the Civic Government (Scotland) Act 1982, Section 13 (5) on the ground that the applicant, having failed to pass the knowledge test, has failed to satisfy the Authority that he had adequate knowledge of the area to which the licence relates and the layout of roads in the area.

CL39. 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.

CL40. Application for the Variation of Street Trader Licence No.1257

The applicant, Mr D, entered the meeting.

With reference to Minute of Meeting of the Civic Licensing committee held on 23 August 2017 (Paragraph CL32 refers), the committee considered a report by the Chief Governance Officer providing information on an application for the variation of a street trader licence.

Mr D spoke in support of the application.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment at 9.55 a.m. and reconvened at 10.10 a.m. with all members present as per the sederunt.

Decision

The committee agreed to agreed to grant the variation of street trader licence No.1257 until 31 January 2018, and attached the following additional conditions, namely:-

- 1. that the licence holder shall ensure the collection and removal of any paper, food wrapping, food, litter or refuse, containers or drinks containers within a 50m zone from his trading location;**
- 2. that no trading will take place from the “turning circle” which was previously identified as the licence holder’s specific trading point, and**

3. that an update report be brought back to committee detailing concerns, if any, prior to renewal of the street trader licence.

The applicant also gave an undertaking that his vehicle would be parked with the serving window facing the footway so that pedestrians are not standing on the road.

CL41. Application for the Grant of a New Taxi Operator Licence

The applicant, Mr A, entered the meeting.

The committee considered a report by the Chief Governance Officer providing information on an application for the grant of a new taxi operator licence and the consultations and responses received.

Mr A spoke in support of the application.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment at 10.20 a.m. and reconvened at 10.25 a.m. with all members present as per the sederunt.

Decision

The committee agreed to grant a new taxi operator licence.

The applicant gave an undertaking that he would replace the vehicle with another vehicle which would adhere to Falkirk Council policy criteria, when the time arose.

CL42. Application for the Renewal of a 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 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 M spoke in support of the application.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment at 10.35 a.m. and reconvened at 10.40 a.m. with all members present as per the sederunt.

Decision

The committee agreed to renew the private hire car driver licence with a warning letter, subject to the standard conditions for a period of one year.

CL43. 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 agreed to a short adjournment at 10.45 a.m. and reconvened at 10.50 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 with a warning letter, subject to the standard conditions for a period of one year.

CL44. Application for the grant of a New Private Hire Car Driver Licence

The applicant, Mr K, 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 K spoke in support of the application.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment at 11.00 a.m. and reconvened at 11.05 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 with a warning letter, subject to the standard conditions for a period of one year, and that a verbal update by officers would be given after 6 months of the licence being in effect.

CL45. Application for the grant of a New Private Hire Car Driver Licence

The applicant, Mr K, was not in attendance.

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.

Decision

The committee agreed to continue the application to a future meeting to give the applicant an opportunity to be in attendance.