

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 city skyline with a bridge. The top-right quadrant depicts a stag's head with antlers. The bottom-left quadrant shows a sailing ship on the water. The bottom-right quadrant features a grizzly bear. Above the shield is a crown with four maple leaves. A banner at the bottom contains the motto "CITY OF VANCOUVER".

Agenda Item

3

Minute

DRAFT

Minute of meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Wednesday 1 November 2017 at 9.30 a.m.

Councillors:

David Aitchison
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

CL49. Apology

An apology was intimated on behalf of Councillor Balfour.

CL50. Declarations of Interest

Depute Provost Ritchie declared a non financial interest in Item CL56 by virtue of having prior knowledge of the applicant and recused herself from consideration of the item, having regard to the objective test in the Code of Conduct.

CL51. Minute

Decision

- the minute of the meeting of the Civic Licensing Committee held on 27 September 2017 was approved; and
- the minute of the special meeting of the Civic Licensing Committee held on 5 October 2017 was approved.

CL52. List of Applications Granted Under Delegated Powers in September 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 30 September 2017 in terms of the Civic Government (Scotland) Act 1982 and notifications of pending public processions.

Decision

The committee noted the report.

CL53. 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 grounds 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.

CL54. Application for the Grant of a Private Hire Car Driver Licence

With reference to minute of meeting of the Civic Licensing Committee held on 27 September 2017 (CL45) refers, the committee considered a report by the Chief Governance Officer providing details of an application for 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.

The Licensing Co-ordinator advised that the applicant had failed to attend the previous meeting of the committee and that he had, on numerous occasions, attempted to make contact with the applicant, without success. The applicant had been cited to attend today's meeting, but again was not in attendance.

The committee agreed to determine the application in the applicant's absence.

Decision

The committee refused to grant the private hire car driver licence in terms of the Civic Government (Scotland) Act 1982, Schedule 1 paragraph 5(3)(d) on the ground that there is other good reason for refusing the application.

CL55. Application for the Renewal of a Taxi Operator Licence

The applicant, Mr M, accompanied by his wife, Mrs M, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received for the renewal of a 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.

The committee agreed to a short adjournment at 10.00 a.m. and reconvened at 10.05 a.m. with all members present as per the sederunt.

Decision

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

In accordance with her earlier declaration, Depute Provost Ritchie left the meeting prior to consideration of the following item.

CL56. Application for the Grant of a New Private Hire Car Operator Licence

The applicant, Mr M, entered the meeting.

The committee considered a report by the Chief Governance Officer providing information on an application for the grant of a new private hire car operator licence, the consultations carried out and responses received.

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 10.10 a.m. and reconvened at 10.15 a.m. with all members present as per the sederunt, with the exception of Depute Provost Ritchie.

Decision

The committee agreed to grant a new private hire car operator licence.

Depute Provost Ritchie re-joined the meeting prior to consideration of the following item.

CL57. Application for the Grant of a New Private Hire Car Operator Licence

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

The committee considered a report by the Chief Governance Officer providing information on an application for the grant of a new private hire car operator licence, the consultations carried out and responses received.

Mr B 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 private hire car operator licence.

CL58. Suspension Hearing in Relation to a Taxi Driver

The licenceholder, Mr G, entered the meeting.

The committee considered a report by the Chief Governance Officer providing information relating to a taxi driver who had suffered a recent medical condition and to his subsequent failure to reach the standard of medical fitness adopted by Falkirk Council for holders of taxi driver licences.

The licenceholder was heard in relation to the matter and in response to questions from members.

The Licensing Co-ordinator advised that he was in receipt of a letter from the licenceholder's current employer. The licenceholder confirmed that he wished the letter to be circulated to the committee.

A representative of the licenceholder's employer was in attendance, and at the request of members and with the agreement of the licenceholder, was invited to enter the meeting to address the committee.

Mr B, the representative of the licenceholder's employer entered the meeting and was heard in response to questions by members.

The committee agreed to a short adjournment at 10.45 a.m. and reconvened at 11.05 a.m. with all members present as per the sederunt.

Decision

The committee agreed not to suspend the taxi driver licence but that the following condition be applied:-

- **That the licenceholder be restricted to work a maximum of 14 hours per week, until such time as he meets the DVLA Group 2 Regulations Standard.**

The committee agreed to an adjournment at 11.10 a.m. and reconvened at 11.35 a.m. with all members present as per the sederunt, with the exception of Depute Provost Ritchie.

CL59. Suspension Hearing in Relation to a Taxi Driver

The licenceholder and his representative, Mr D, together with Sergeant Mackenzie and PC Hutchison, Police Scotland, entered the meeting.

The committee considered a report by the Chief Governance Officer advising of a letter of complaint submitted by Police Scotland in respect of the licenceholder, which had sought an immediate suspension of the taxi driver licence.

Following confirmation that neither the licenceholder nor his representative had any objection, the letter of complaint from the Chief Constable was circulated.

Mr D, the licenceholder's representative advised that his client wished witness statements to be circulated to members. The committee agreed to this request and these were duly circulated.

Sergeant Mackenzie, the Chief Constable's representative was heard in relation to the complaint.

Mr D sought clarification from Sergeant Mackenzie regarding the complaint. Thereafter, members asked questions of Sergeant Mackenzie.

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

There being no questions from Sergeant Mackenzie, members asked questions of Mr D and the licenceholder.

Both parties were invited to sum up.

The committee agreed to a short adjournment at 12.25 p.m. and reconvened at 12.40 p.m. with all members present as per the sederunt, with the exception of Depute Provost Ritchie.

Decision

The committee agreed to take no further action.