

DRAFT**FALKIRK COUNCIL****MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 2 JUNE 2010 at 9.30 A.M.**

PRESENT: Councillors Blackwood, Hughes, Kenna, McLuckie, Nicol, Nimmo, Thomson and Waddell.

CONVENER: Councillor Nicol.

APOLOGY: Provost Reid.

ATTENDING: Acting Director of Law and Administration; Acting Head of Environment and Regulatory Services; Licensing Co-ordinator (B Douglas); Solicitor (F Kobiela); and Committee Officer (A Sobieraj).

DECLARATIONS None
OF INTEREST:

CL16. MINUTE

There was submitted and **APPROVED** Minute of Meeting of the Civic Licensing Committee held on 5 May 2010.

CL17. 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.

CL18. APPLICATION FOR THE RENEWAL OF A LATE HOURS CATERING LICENCE

A representative of the applicant company, Mr D, entered the meeting together with the day to day manager of the application premises, Mr S, and of the applicant company's Polmont premises, Mr K.

There was submitted Report (circulated) dated 24 May 2010 by the Director of Development Services on an application for the renewal of a late hours catering licence (a) advising of the background to the application; (b) detailing the consultations undertaken and responses received; and (c) attaching as appendices 1 to 3 respectively, the late hours catering policy, the late hours catering conditions and a location plan.

Mr D spoke in support of the application.

Questions were then asked by Members of the Committee.

AGREED that, having to the submission made, a departure from the Council's policy was justified and accordingly, **AGREED** to **GRANT** renewal of the licence subject to the standard conditions.

CL19. APPLICATION FOR THE RENEWAL OF A LATE HOURS CATERING LICENCE

A representative of the applicant company, Mr D, entered the meeting together with the day to day manager of the application premises, Mr S, and of the applicant company's Polmont, Mr K.

There was submitted Report (circulated) dated 24 May 2010 by the Director of Development Services on an application for the renewal of a late hours catering licence (a) advising of the background to the application; (b) detailing the consultations undertaken and responses received; and (c) attaching as appendices 1 to 3 respectively, the late hours catering policy, the late hours catering conditions and a location plan.

Mr D spoke in support of the application.

Questions were then asked by Members of the Committee.

AGREED that, having to the submission made, a departure from the Council's policy was justified and accordingly, **AGREED** to **GRANT** renewal of the licence subject to the standard conditions.

CL20. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr L, was not in attendance. Having heard from the Licensing Co-ordinator on his efforts to contact the applicant, the Committee agreed to consider the application in the applicant's absence.

There was submitted Report (circulated) dated 24 May 2010 by the Director of Development Services on an application for the grant of a new taxi driver licence (a) advising of the background to the application; and (b) detailing the consultations undertaken and responses received.

AGREED:-

- (a) that the applicant be given a final opportunity to take and pass the knowledge test, and subsequently to provide evidence that he has passed the Council's medical test and thereafter to remit to the Director of Development Services to grant the application; and
- (b) that should the applicant fail either of the knowledge or medical tests, to authorise the Director of Development Services to refuse the application without further reference to Committee.

CL21. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr S, entered the meeting.

There was submitted Report (circulated) dated 24 May 2010 by the Director of Development Services on an application for the grant of a new taxi driver licence (a) advising of the background to the application; (b) detailing the consultations undertaken and responses received; and (c) detailing the applicant's record.

Mr S spoke in support of the application.

Questions were then asked by Members of the Committee.

AGREED to **GRANT** the licence for a period of one year subject to the standard conditions together with a warning letter.

CL22. ORDER OF BUSINESS

In terms of Standing Order 15.2(i), Councillor Nicol 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 at the meeting

CL23. APPLICATION FOR THE GRANT OF AN ADDITIONAL TAXI OPERATOR LICENCE

The applicant, Mr G, entered the meeting.

There was submitted Report (circulated) dated 24 May 2010 by the Director of Development Services on an application for the grant of an additional taxi operator licence (a) advising of the background to the application; and (b) detailing the consultations undertaken and responses received.

Mr G spoke in support of the application.

Questions were then asked by Members of the Committee.

AGREED that a short adjournment take place to enable the Committee to consider the submission.

The applicant, Mr G, left and was then recalled to the meeting.

AGREED to **GRANT** the additional licence subject to the standard conditions.

CL24. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr McC, entered the meeting.

There was submitted Report (circulated) dated 24 May 2010 by the Director of Development Services on an application for the grant of a new taxi driver licence (a) advising of the background to the application; (b) detailing the consultations undertaken and responses received; and (c) detailing the applicant's record.

Mr McC spoke in support of the application.

Questions were then asked by Members of the Committee.

AGREED that a short adjournment take place to enable the Committee to consider the submission.

The applicant, Mr McC, left and was then recalled to the meeting.

AGREED:-

- (a) that, in light of the applicant's intimation at the Committee of his difficulty with written tests, the applicant be given a final opportunity to take the knowledge test orally and to pass it, and subsequently to provide evidence that he has passed the Council's medical test;
- (b) thereafter to remit to the Director of Development Services to grant the application for a period of 6 months subject to the standard conditions;
- (c) that, should the applicant fail either of the knowledge or medical tests, to authorise the Director of Development Services to refuse the application without further reference to Committee; and
- (d) that in the event that the licence is granted and a renewal application subsequently made, the application should be referred for determination by Committee.