

MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 14 JANUARY 2015 at 9.30 A.M.

COUNCILLORS: Jim Blackwood
Gordon Hughes
Baillie Joan Paterson
Provost Pat Reid (Convener)
Ann Ritchie

OFFICERS: 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 (for items
1 – 5 (CL118 – CL122))

CL118. APOLOGIES

Apologies were intimated on behalf of Depute Provost Patrick, Baillie Buchanan, and Councillor Turner.

CL119. DECLARATIONS OF INTEREST

No declarations were intimated.

CL120. MINUTE

Decision

The minute of the meeting of the Civic Licensing Committee on 3 December 2014 was approved.

CL121. LIST OF APPLICATIONS GRANTED UNDER DELEGATED POWERS IN NOVEMBER 2014 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 30 November 2014 in terms of the Civic Government (Scotland) Act 1982 and the Marriage (Approval of Places) (Scotland) Regulations 2002, and (b) notifications of pending public processions.

Decision

The committee noted the report.

CL122. CIVIC LICENSING ENFORCEMENT – NOVEMBER 2014

The committee considered a report by the Chief Governance Officer giving an overview of enforcement action taken with regard to Civic Licensing activities during November 2014.

Decision

The committee noted the report.

CL123. 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.

CL124. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

The applicant, Mr C, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the renewal of a taxi driver licence (a) advising of the background to the application; (b) summarising the consultations undertaken and the responses received, and (c) detailing the applicant's record.

Mr C spoke in support of the application.

Questions were then asked by members of the committee.

Decision

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

CL125. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr McI, 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 of 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 instruct officers to arrange for the applicant to undertake a medical and should the applicant pass the medical, to grant the application for a new taxi driver licence for a period of one year, subject to the standard conditions. Should the applicant fail the medical examination, the application will be submitted again to the Civic Licensing Committee for further consideration.

CL126. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr P, was not in attendance. The Licensing Co-ordinator advised that he had spoken with the applicant by telephone and was advised that the applicant wished to withdraw his application at this time. This request was subsequently confirmed in writing by the applicant.

NOTED.

CL127. APPLICATION FOR THE GRANT OF A PRIVATE HIRE CAR OPERATOR LICENCE

Mr A and Mr M, directors of the applicant company, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the grant of a private hire car operator licence (a) advising of the background to the application, and (b) detailing the consultations undertaken and the responses received.

Mr A spoke in support of the application.

Questions were then asked by members of the committee.

Decision

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

CL128. APPLICATION FOR THE GRANT OF A NEW STREET TRADER

Having heard from the Licensing Co-ordinator that the applicant was not in attendance, nor had he made contact with the Licensing section, the Committee determined not to consider the application in the applicant's absence.

Decision

The committee agreed to continue the matter to a future meeting to allow the applicant to attend.

CL129. APPLICATION FOR THE RENEWAL OF A LATE HOURS CATERING LICENCE NO. 229

With reference to Minute of Meeting of the Civic Licensing Committee held on 3 December 2014 (paragraph CL115 refers), the committee considered a report by the Chief Governance Officer on an application for the renewal of a late hours catering licence No. 229 (a) advising of the background to the application; (b) summarising the consultations undertaken and the 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.

Having heard from the Licensing Co-ordinator that the applicant was not in attendance, nor had he made contact with the Licensing section, and having regard to the applicant's failure to attend the previous meeting on 3 December 2014, the Committee determined to consider the application in the applicant's absence.

Decision

The committee, having been satisfied that other good reason (the application was contrary to established policy, had previously been granted on a trial basis, there was no over-riding argument to continue that trial and, in any event, the premises were not actively trading) for refusing the application had been shown in terms of paragraph 5(3)(d) of Schedule 1 of the Civic Government (Scotland) Act 1982, agreed to refuse the renewal of Late Hours Catering Licence No. 229.