



Agenda Item

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Minute

Minute of meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Wednesday 8 March 2017 at 9.30 a.m.

Councillors: Jim Blackwood
Baillie Joan Coombes
Gordon Hughes
Provost Pat Reid (Convener)
Ann Ritchie
Sandy Turner

Officers: Bryan Douglas, Licensing Co-ordinator
Arlene Fraser, Committee Services Officer
Rose Mary Glackin, Chief Governance Officer
Frances Kobiela, Senior Solicitor
Isabel Renton, Senior Licensing Assistant
Thomas Ross, Licensing Standards Officer
Brian Samson, Enforcement Officer

CL124. Apologies

Apologies were intimated on behalf of Depute Provost Patrick and Councillor Garner.

CL125. Declarations of Interest

No declarations were intimated.

CL126. Minute

Decision

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

CL127. List of Applications Granted Under Delegated Powers in January 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 31 January 2017 in terms of the Civic Government (Scotland) Act 1982, and (b) notifications of pending public processions.

Decision

The committee noted the report.

CL128. Civic Licensing Enforcement – January 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 January 2017.

Decision

The committee noted the report.

CL129. 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.

CL130. Application for the Grant of a New Private Hire Car Driver Licence

The applicant, Mr M, was not in attendance.

The Licensing Co-ordinator advised the committee the reason for the applicant's absence.

Decision

The committee agreed to continue the matter to a future meeting of the Civic Licensing Committee to allow the applicant to be in attendance.

CL131. Application for the Grant of a New Taxi Driver Licence

The applicant, Mr M and his father, Mr M, 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 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.

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 taxi driver licence for a period of one year, subject to the standard conditions.

Councillor Hughes entered the meeting after consideration of the previous item of business.

CL132. Suspension Hearing in Relation to Taxi Driver Licence No.2039

The licence holder, Mr P, together with Sergeant M White, Police Scotland, entered the meeting.

The committee considered a report by the Chief Governance Officer summarising the background to the immediate suspension of the holder of private hire car driver licence No.2039.

The licence holder confirmed that he had no objection to the letter of complaint by Police Scotland being circulated, following which the letter was circulated to members.

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

The licence holder was then heard in relation to the complaint.

Questions were asked of the licence holder by members of the committee.

There being no further questions, both parties summed up.

The committee agreed that a short adjournment take place.

The licence holder and Sergeant White, left and were then recalled to the meeting.

Decision

The committee agreed to:-

- (1) suspend the private hire car driver licence for the unexpired portion of the duration of the licence in terms of the Civic Government (Scotland) Act 1982, Schedule 1 paragraph 11(2) (c) on the grounds that carrying on of the activity to which the licence relates has caused, is causing or is likely to cause undue public nuisance or a threat to public order or safety; and**

- (2) that having regard to the circumstances of the case, the suspension would take immediate effect, in accordance with paragraph 11(10) of the schedule of the said Act.**