

Draft

**Minute of special meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Thursday 5 October 2017 at 2.30 p.m.**

**Councillors:** David Balfour  
Lorna Binnie  
Robert Bissett  
Jim Blackwood  
William Buchanan  
Jim Flynn  
Gordon Hughes (Convener)  
James Kerr

**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

**CL46. Apologies**

Apologies were intimated on behalf of Councillor Aitchison and Depute Provost Ritchie.

**CL47. Declarations of Interest**

No declarations were intimated.

**CL48. Suspension Hearing in Relation to a Taxi Driver Licence**

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

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

Mr S, the licenceholder's representative, confirmed that he had no preliminary points to raise.

The Licensing Co-ordinator was heard in relation to the complaint.

Following confirmation that neither the licenceholder nor his representative had any objection, the letters of complaint and a subsequent letter from the Chief Constable were circulated.

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

There being no questions from the licenceholder or his agent, members asked questions of Sergeant Mackenzie.

Mr S was then heard in relation to the complaint.

There being no questions from Sergeant Mackenzie, members asked questions of Mr S.

Both parties were invited to sum up.

The committee agreed to an adjournment at 3.30 p.m. and reconvened at 4.05 p.m. with all members present as per the sederunt.

Councillor Buchanan, seconded by Councillor Blackwood, moved that the committee take no further action at the present time, in respect that one of the conditions of bail was that the licenceholder is not permitted to drive as a taxi or private hire car driver and as a result the public were afforded sufficient protection for the duration of the bail condition.

As an amendment, Councillor Bissett, seconded by Councillor Binnie, moved that the taxi driver licence be suspended for the duration of the bail condition and that the matter be reviewed at the end of the duration of the condition.

On a division, 4 members voted for the amendment and 4 voted for the motion.

There being an equality of votes and in terms of Standing Order 22.6 the Convener used his casting vote in favour of the motion.

### **Decision**

**The committee agreed that no further action be taken at the present time, in respect that one of the conditions of bail was that the licenceholder is not permitted to drive as a taxi or private hire car driver and as a result the public were afforded sufficient protection for the duration of the bail condition.**