

The background of the slide features the official coat of arms of the City of Vancouver. It is a shield divided into four quadrants. The top-left quadrant shows a beaver, the top-right a stag with a cross between its antlers, the bottom-left a three-masted sailing ship on wavy water, and the bottom-right an eagle with spread wings perched on a branch. Above the shield is a crown with four maple leaves. A banner at the bottom contains the motto 'A NE FOR A'.

Agenda Item

3

Minute

DRAFT

**Minute of meeting of the Civic Licensing Committee held in the
Municipal Buildings, Falkirk on Wednesday 11 April 2018 at 9.30 a.m.**

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

Officers: Bryan Douglas, Licensing Co-ordinator
Arlene Fraser, Committee Services Officer
Frances Kobiela, Senior Solicitor
Isabel Renton, Senior Licensing Assistant

CL1. Order of Business

In terms of Standing Order 14.2(i), Councillor Hughes 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.

CL2. Apologies

Apologies were intimated on behalf of Depute Provost Ritchie.

CL3. Declarations of Interest

Councillor Aitchison declared a non-financial declaration in agenda item 6 (CL9) by virtue of having prior knowledge of the applicant and recused himself from consideration of the item, having regard to the objective test in the Code of Conduct.

CL4. Minute

Decision

The minute of the meeting of the Civic Licensing Committee held on 14 March 2018 was approved.

CL5. List of Applications Granted Under Delegated Powers in March 2018, Notifications of Public Processions Pending, Breakdown of Taxi and Private Hire Licences in Operation

The committee considered a report by the Chief Governance Officer detailing the applications granted under delegated powers between 1 and 31 March 2018 in terms of the Civic Government (Scotland) Act 1982.

Decision

The committee noted the report.

CL6. 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.

CL7. Suspension Hearing in Relation to a Taxi Driver

The licence holder, 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 on the background to the suspension hearing and to a letter of representation submitted by the Chief Constable, Police Scotland, in respect of the licence holder.

Sergeant Mackenzie, the Chief Constable's representative was heard in relation to the letter of representation.

There being no questions from the licence holder, a member asked a question of Sergeant Mackenzie.

Mr S was then heard in relation to Chief Constable's letter of representation.

There were no questions to Mr S from Sergeant Mackenzie or members.

Both parties were invited to sum up.

The committee agreed to a short adjournment at 9.55 a.m. and reconvened at 10.00 a.m. with all members present as per the sederunt.

Decision

The committee agreed to take no further action.

CL8. Application for the Renewal of a Taxi Operator Licence

The licence holder, Mr S, together with Sergeant Mackenzie and PC Hutchison, Police Scotland, 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; (c) detailing the applicant's record, and (d) referring to a letter of representation submitted by the Chief Constable, Police Scotland in respect of the application.

Following confirmation that the licence holder had no objection, the letter of representation from the Chief Constable was circulated.

Sergeant Mackenzie, the Chief Constable's representative was heard in relation to the letter of representation.

There were no questions to Sergeant Mackenzie from the licence holder or members.

Mr S was then heard in relation to Chief Constable's letter of representation.

There were no questions to Mr S from Sergeant Mackenzie or members.

Both parties were invited to sum up.

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.

Decision

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

In accordance with his earlier declaration, Councillor Aitchison left the meeting prior to consideration of the following item.

CL9. Application to Vary a Private Hire Car Operator Licence

Mr M, a director of the applicant company, entered the meeting.

The committee considered a report by the Chief Governance Officer providing information on an application for the variation of a private hire car operator licence.

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 10.30 a.m. and reconvened at 10.40 a.m. with all members present as per the sederunt, with the exception of Councillor Aitchison.

Decision

The committee agreed:-

- (1) that there was justification to depart from the Council's current vehicle age policy, and**
- (2) to vary the private hire car operator licence to allow the replacement wheelchair accessible vehicle to be no older than 5 years.**

CL10. Application for the Renewal of a Second Hand Dealer Licence

Mr B, a consultant for the applicant company, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received for the renewal of a second hand dealer 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 B was heard in relation to the application and to why the director who had been cited, was not in attendance.

The committee agreed to a short adjournment at 10.50 a.m. and reconvened at 11.00 a.m. with all members present as per the sederunt.

Decision

The committee agreed to renew the Second Hand Dealer licence, subject to the standard conditions for the period of three years.

CL11. Application for the Renewal of a Taxi Driver Licence

The licence holder, Mr M, together with Sergeant Mackenzie and PC Hutchison, Police Scotland, entered the meeting.

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

Following confirmation that the licence holder had no objection, the letter of representation from the Chief Constable was circulated. A statement from the licence holder and a letter of support from his employer was also circulated.

Sergeant Mackenzie, the Chief Constable's representative was heard in relation to the letter of representation.

There being no questions from the licence holder, members asked questions of Sergeant Mackenzie.

Mr M was then heard in clarification to matters referred to in his statement.

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

Both parties were invited to sum up.

The committee agreed to a short adjournment at 11.30 a.m. and reconvened at 11.35 a.m. with all members present as per the sederunt.

Decision

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