



Agenda Item 3

Minute

DRAFT

Minute of meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Wednesday 26 September 2018 at 9.30 a.m.

Councillors: David Aitchison
David Balfour
Lorna Binnie
Robert Bissett
Jim Blackwood
Gordon Hughes (Convener)
Jim Flynn
Depute Provost Ann Ritchie

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

Also Attending: Craig Beatt, Private Sector Officer (Observing)
Angela Kerr, Senior Private Sector Officer (Observing)
Wendy Laird, Private Sector Officer (Observing)

CL44. Apologies

Apologies were intimated on behalf of Provost William Buchanan.

CL45. Declarations of Interest

None.

CL46. Minute

Decision

The minute of the meeting of the Civic Licensing Committee held on 22 August 2018 was approved.

CL47. List of Applications Granted Under Delegated Powers in August 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 during August 2018 in terms of the Civic Government (Scotland) Act 1982.

Decision

The committee noted the report.

CL48. Knowledge Test Failures

The committee considered a report by the Chief Governance Officer providing details of four applications for new taxi driver licences, the knowledge test opportunities, and the options available to members.

The applicants were not in attendance and had submitted no additional information in support of their applications.

Decision

The committee refused to grant the four Taxi Driver licences in terms of the Civic Government (Scotland) Act 1982, Section 13(5) on the grounds that the applicants, having failed to pass the knowledge test, have failed to satisfy the Authority that they have adequate knowledge of the area to which the licence relates, the layout of roads in the area, and of the Council's licence conditions.

CL49. 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.

CL50. 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 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, and (c) detailing the applicant's record.

Mr C spoke in support of the application.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment at 10.00 a.m. and reconvened at 10.05 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 a period of one year.

CL51. Application for the Renewal of Late Hours Catering Licence Number 48

The Licensing Co-ordinator advised that the Director of the applicant company had submitted a letter stating that he was unable to attend the meeting due to an urgent matter. The committee agreed to determine the application in his absence.

The committee considered a report by the Chief Governance Officer on an application received for the renewal of a late hours catering licence number 48.

Decision

The committee agreed to renew the Late Hours Catering licence, subject to the standard conditions for a period of three years.

CL52. Revocation/Suspension Hearing in Relation to a Taxi Driver Licence

The licenceholder, Mr C, and his employer Mr B, entered the meeting.

The committee considered a report by the Chief Governance Officer providing information relating to a taxi driver and his medical condition and to his subsequent failure to reach the standard of medical fitness adopted by Falkirk Council for holders of taxi driver licences.

The licenceholder was heard in relation to the matter and in response to questions from members.

The committee agreed to a short adjournment at 10.25 a.m. and reconvened at 10.40 a.m. with all members present as per the sederunt.

Decision

The committee agreed:-

- (1) to suspend the taxi 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 ground of public safety;**

- (2) to suspend the taxi driver licence for the unexpired portion of the duration of the licence in terms of the Civic Government (Scotland) Act 1982, Section 13(4) on the ground that the applicant has failed to satisfy the Authority that he is physically fit to be the holder of such a licence, and**
- (3) if the applicant can later satisfy the Authority that he has attained the DVLA Group 2 Standards of fitness, the decision to recall the suspension order will be delegated to officers.**