



Agenda Item 3

Minute

Minute of meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Wednesday 28 November 2018 at 9.30 a.m.

Councillors: David Aitchison
David Balfour
Lorna Binnie
Jim Blackwood
Provost William Buchanan
Gordon Hughes (Convener)
Depute Provost Ann Ritchie

Officers: Bryan Douglas, Licensing Co-ordinator
Jack Frawley, Committee Services Officer
Rose Mary Hoey, Interim Legal Services Manager

Also Attending: Lindsay Fyfe, Licensing Standards Officer (Observing)
Thomas Ross, Licensing Standards Officer (Observing)

CL61. Apologies

Apologies were intimated on behalf of Councillors Bissett and Flynn.

CL62. Declarations of Interest

None.

CL63. Minute

Decision

The minute of the meeting of the Civic Licensing Committee held on 31 October 2018 was approved.

CL64. List of Applications Granted Under Delegated Powers in October 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 October 2018 in terms of the Civic Government (Scotland) Act 1982.

Decision

The committee noted the report.

CL65. Knowledge Test Failures

The committee considered a report by the Chief Governance Officer providing details of three applications for new taxi driver licences, the knowledge test opportunities, and the options available to members. The Licensing Co-ordinator referred to a letter of support submitted by Mr Hussain in respect of his application. The letter was circulated to the committee.

Decision

The committee:-

- (1) refused to grant the taxi driver licence for Mr Cantley in terms of the Civic Government (Scotland) Act 1982, Section 13(5) on the grounds that the applicant, having failed to pass the knowledge test, had failed to satisfy the Authority that he had adequate knowledge of the area to which the licence relates; the layout of roads in the area and of the Council's licence conditions;**
- (2) refused to grant the taxi driver licence for Mr Owen in terms of the Civic Government (Scotland) Act 1982, Section 13(5) on the grounds that the applicant, having failed to pass the knowledge test, had failed to satisfy the Authority that he had adequate knowledge of the area to which the licence relates; the layout of roads in the area and of the Council's licence conditions, and**
- (3) agreed to give Mr Hussain a final opportunity to take and pass the knowledge test, and should the applicant fail the knowledge test, to authorise the Chief Governance Officer to refuse the application without further reference to committee in terms of the Civic Government (Scotland) Act 1982, Section 13(5) on the grounds that the applicant, having failed to pass the knowledge test, had failed to satisfy the Authority that he had adequate knowledge of the area to which the licence relates; the layout of roads in the area and of the Council's licence conditions.**

CL66. 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 item of business on the grounds that it would involve the likely disclosure of exempt information as defined in Paragraph 6 of Part 1 of Schedule 7A to the said Act.

CL67. Application for the Grant of a New Second Hand Dealer Licence (Used Vehicles)

The applicant, Mr R, entered the meeting.

The committee considered a report by the Chief Governance Officer providing details of an application for a new second hand dealer licence (used vehicles), the consultations carried out, the responses received and detailing the applicant's record.

Mr R was heard in support of the application.

Questions were asked by members of the committee.

The committee agreed to a short adjournment at 10.10a.m. and reconvened at 10.15a.m. with all members present as per the sederunt.

Decision

The committee agreed to grant the second hand dealer licence for three years, subject to the standard conditions.