

The background of the slide features a large, light blue watermark of the City of Vancouver's coat of arms. The crest is a shield divided into four quadrants. The top-left quadrant shows a sailing ship on the water. The top-right quadrant shows a stag's head with antlers. The bottom-left quadrant shows a beaver. The bottom-right quadrant shows a grizzly bear. Above the shield is a crown with four maple leaves. A banner at the bottom of the shield contains the motto "A NE FOR A".

Agenda Item 3

Minute

Minute of meeting of the Civic Licensing Committee held in the Municipal Buildings, Falkirk on Tuesday 3 September 2019 at 9.30 a.m.

Councillors: David Aitchison
David Balfour
Lorna Binnie
Jim Blackwood
Provost William Buchanan
Jim Flynn
Dennis Goldie
Gordon Hughes (Convener)

Officers: Karen Chambers, Committee Services Officer
Bryan Douglas, Licensing Co-ordinator
Arlene Fraser, Committee Services Officer
Rose Mary Hoey, Interim Legal Services Manager
Stuart Irwin, Graduate, Democratic Services
Frances Kobiela, Clerk

CL42. Apologies

An apology was intimated on behalf of Depute Provost Ann Ritchie.

CL43. Declarations of Interest

There were no declarations of interest.

CL44. Minute

The minute of Meeting of the Civic Licensing Committee held on 12 June 2019 was approved.

CL45. List of Applications Granted under Delegated Powers in June and July 2019, Notifications of Public Processions Pending, and 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 June and July 2019 in terms of the Civic Government (Scotland) Act 1982.

Decision

The committee noted the report.

CL46. 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.

CL47. Application for the Renewal of a Second Hand Dealer Licence (Used Vehicles)

The applicant, Mr S, Mr C, General Manager of the applicant company, and Richard Thomson, Trading Standards Officer, Falkirk Council, all entered the meeting.

The committee considered a report by the Chief Governance Officer providing details of an application for the renewal of a second hand dealer licence (used vehicles), the consultations carried out, the responses received and the further officer enquiries.

The committee noted that one objection had been received in respect of the application. The objector was not in attendance but had requested that the objection be heard.

The applicant advised that he was content that the letter of objection be circulated to members. Accordingly, a copy of the objection was circulated to members.

In the absence of the objector, the committee heard from Richard Thomson in relation to the issues raised in the letter of objection and in clarification of questions raised by members.

Mr C, General Manager was then heard in response to the issues raised in the letter of objection and in clarification of questions raised by members.

Thereafter, Mr C and Mr S were heard in support of the application.

The committee agreed to a short adjournment. On reconvening all members were present as per the sederunt.

Decision

The committee agreed to renew the Second Hand Dealer licence (Used Vehicles) for a period of 3 years, subject to the standard conditions.

The committee agreed to a short recess, during which members observed a minute silence to mark the 80th anniversary of the beginning of World War 2.

C48. Application for the Renewal of an Itinerant Metal Dealer Licence

The applicant, Mr M, entered the meeting.

The committee considered a report by the Chief Governance Officer providing details of an application for the renewal of an itinerant metal dealer licence, the consultations carried out, the responses received and detailing the applicant's record.

Mr M was heard in support of his application.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment. On reconvening, all members were present as per the sederunt.

Decision

The committee agreed to renew the Itinerant Metal Dealer licence for a period of 3 years, subject to the standard conditions.

CL49. Application for the Grant of a New Taxi Driver Licence

The applicant, Mr P, and PC Trenchard, Police Scotland entered the meeting.

The committee considered a report by the Chief Governance Officer providing details on an application for the grant of a new taxi driver licence, the consultations carried out, the responses received, and detailing the applicant's record.

The committee noted that a letter of representation had been received from Police Scotland in respect of the application.

The applicant advised that he was content that the letter of representation be circulated to members. Accordingly, a copy of the letter was circulated to members.

The committee agreed to the applicant's request that two character references be circulated. Accordingly, copies of the character references were circulated to members.

PC Trenchard was heard in relation to the Chief Constable's letter of representation.

There being no questions to PC Trenchard, the applicant, Mr P was then heard in support of the application and in clarification of questions raised by members.

The committee agreed to a short adjournment. On reconvening, all members were present as per the sederunt.

Decision

The committee agreed to grant the Taxi Driver licence for a period of one year, subject to the standard conditions.

CL50. Application for the Grant of a New Taxi Driver Licence

The applicant, Mr H, entered the meeting.

The committee considered a report by the Chief Governance Officer providing details on an application for the grant of a new taxi driver licence, the consultations carried out, the responses received, and detailing the applicant's record.

The committee agreed to the applicant's request that three character references and an offer of employment letter be circulated. Accordingly, copies of the letters were circulated to members.

Mr H was heard in support of his application.

Questions were asked by members of the committee.

The committee agreed to a short adjournment. On reconvening, all members were present as per the sederunt.

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.

CL51. Application for the Grant of a New Taxi Driver Licence

The applicant, Mr F, his agent, Mr S, and PC Trenchard, Police Scotland, entered the meeting.

The committee considered a report by the Chief Governance Officer providing details on an application for the grant of a new taxi driver licence, the consultations carried out, the responses received, and detailing the applicant's record.

The committee noted that a letter of representation had been received from Police Scotland in respect of the application.

Mr S raised a preliminary matter in relation to the letter of representation being circulated to members. He stated that the letter from the Chief Constable had not been submitted timeously. He referred to the date when the application was first lodged, the subsequent payment made to the Council, and the reason for the application being returned and thereafter submitted once again.

The Clerk advised of the legislation timescales.

The committee agreed to a short adjournment. On reconvening, all members were present as per the sederunt.

The committee agreed to accept the preliminary point raised by Mr S and thereafter considered there was no sufficient reason to allow Police Scotland's representation to be received late.

The letter of representation from the Chief Constable was not circulated to members. The Chief Constable's representative, PC Trenchard left the meeting.

Mr S was heard in support of his client's application.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment. On reconvening, all members were present as per the sederunt.

Decision

The committee agreed to give the applicant an opportunity to take and pass the knowledge test, and should the applicant pass the knowledge test, 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 both tests, to authorise the Chief Governance Officer to grant the Taxi Driver licence for a period of one year, subject to the standard conditions.

CL52. Request to Vary a Taxi Operator Licence

The applicant, Mrs M, her business partner Mr A, and her agent Mr S, entered the meeting.

The committee considered a report by the Chief Governance Officer providing details on an application for a request to vary a taxi operator licence, the variation proposed and the consultation carried out.

Mr S was heard in support of the application.

Questions were then asked by members of the committee.

The committee agreed to a short adjournment. On reconvening, all members were present as per the sederunt.

Decision

The committee refused the request to vary a taxi operator licence as they were of the opinion that there was no justification to depart from the current policy.

The applicant's agent requested a Statement of Reasons.