

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 wavy lines representing water. The top-right quadrant depicts a stag's head with large antlers. The bottom-left quadrant contains a beaver. The bottom-right quadrant shows a grizzly bear standing on its hind legs. 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 Thursday 3 October 2019 at 9.30 a.m.**

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

**Officers:** Bryan Douglas, Licensing Co-ordinator  
Arlene Fraser, Committee Services Officer  
Rose Mary Hoey, Interim Legal Services Manager

**CL53. Apologies**

An apology was intimated on behalf of Councillor David Aitchison.

**CL54. Declarations of Interest**

There were no declarations of interest.

**CL55. Minute**

**The minute of Meeting of the Civic Licensing Committee held on 3 September 2019 was approved.**

**CL56. List of Applications Granted under Delegated Powers in August 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 August 2019 in terms of the Civic Government (Scotland) Act 1982.

**Decision**

**The committee noted the report.**

#### **CL57. Knowledge Test Failures**

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

##### **Decision**

**The committee agreed to refuse to grant the 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 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.**

#### **CL58. 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.

#### **CL59. Application for the Grant of a Temporary Second Hand Dealer Licence (used vehicles)**

The applicant, Mr D, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received for the grant of a temporary second hand dealer licence (used vehicles) (a) advising on the background to the application; (b) summarising the consultations undertaken and responses received, and (c) detailing the applicant's record.

Mr D spoke 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 agreed to grant the temporary second hand dealer licence (used vehicles) for six weeks, subject to the standard conditions and instructed officers to grant the full application under delegated powers should there be no further issues.**

## **C60. Application for the Grant of a New Taxi Driver Licence**

The applicant, Mr J, and Sergeant C McKenzie, Police Scotland both entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received for the grant of a new 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.

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.

Sergeant McKenzie was heard in relation to the Chief Constable's letter of representation and in clarification of questions raised by members. There was no questions to Sergeant McKenzie from the applicant.

The applicant was then heard in support of the application and in clarification of questions raised by members.

Both parties were invited to sum up.

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

### **Decision**

**The committee agreed:-**

- (1) 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 six months with a warning letter, and subject to the standard conditions, and**
- (2) should the applicant apply to renew his licence after the initial six month period, that this renewal be restricted to a maximum of one year.**

## **CL61. Application for the Grant of a New Private Hire Car Operator Licence**

The committee were advised that the applicant Mr A, was not in attendance. Mrs A, the applicant's spouse, was in attendance on his behalf.

The committee considered a report by the Chief Governance Officer on an application received for the grant of a new private hire car operator licence advising on the background to the application, and detailing the consultations undertaken.

Mrs A spoke 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 agreed to grant a new private hire car operator licence, being satisfied that the circumstances justified a departure from the current policy in respect of the age of the proposed vehicle; subject to the appropriate insurance documentation; V5 certificate and taxi inspection test certificate being submitted to the satisfaction of officers, and subject to the standard conditions for a period of one year.**

### **CL62. Request to Vary a Private Hire Car Operator Licence**

The committee were advised that the applicant Mr A, was not in attendance. Mrs A, the applicant's spouse, was in attendance on his behalf.

The committee considered a report by the Chief Governance Officer on a request to vary two private hire car operator licences and advising on the background to the request, and detailing the consultations undertaken.

Mrs A spoke in support of the variation 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 the request to vary condition 8 of private hire car operator licence Nos 16 & 136 in order to allow the signs referred to, to be magnetic signs of similar size and design supplied by the Licensing authority and paid for by the applicant. The applicant will be excused the requirement to display the signs when the vehicles are not undertaking private hire car activities, but the signs must be kept within the vehicles at all times.**