

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 city skyline with a diagonal beam of light. The top-right quadrant depicts a stag's head with antlers. The bottom-left quadrant shows a three-masted sailing ship on wavy water. The bottom-right quadrant features a grizzly bear standing on a rocky outcrop. 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 Wednesday 5 February 2020 at 9.30 a.m.**

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

**Officers:** Bryan Douglas, Licensing Co-ordinator  
Arlene Fraser, Committee Services Officer  
Rose Mary Hoey, Legal Services Manager (Interim)  
Frances Kobiela, Senior Solicitor

**CL95. Apologies**

An apology was intimated on behalf of Councillor Aitchison.

**CL96. Declarations of Interest**

There were no declarations made.

**CL97. Minute**

**The minute of Meeting of the Civic Licensing Committee held on 15 January 2020 was approved.**

**CL98. List of Applications Granted under Delegated Powers in December 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 December 2019 in terms of the Civic Government (Scotland) Act 1982.

**Decision**

**The committee noted the report.**

**CL99. Knowledge Test Failure**

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

**Decision**

**The committee refused to grant the taxi driver licence in terms of the Civic Government (Scotland) Act 1982, Section 13(5) for Mr T, on the grounds that he, 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.**

**CL100. 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.

**CL101. Application for the Renewal of a Taxi Driver Licence**

The licence holder, Mr H, was not in attendance.

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.

**Decision**

**The committee agreed to continue the application to allow the applicant an opportunity to be in attendance.**

**CL102. Application for the Renewal of a Taxi Driver Licence**

The licence holder, Mr M, and his representative, Mr Mc, together with Sergeant D Bellingham and PC K McLean, 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, 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 Bellingham was heard in relation to the Chief Constable's letter of representation and in clarification of questions raised by members. There were no questions to Sergeant Bellingham from the applicant or his representative.

The applicant's representative was heard in relation to the letter of representation and in clarification of questions raised by members. There were no questions to the applicant or his representative from Sergeant Bellingham.

Both parties summed up.

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

### **Decision**

**The committee agreed to renew the taxi driver licence with a warning letter, subject to the standard conditions until 31 December 2020.**

#### **CL103. Suspension Hearing in Relation to a Taxi Driver**

The licence holder, Mr B, together with Sergeant D Bellingham and PC K McLean, Police Scotland entered the meeting.

The committee considered a report by the Chief Governance Officer advising of a letter of complaint submitted by Police Scotland in respect of the licence holder, which had sought an immediate suspension of the taxi driver licence.

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

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

Sergeant Bellingham was heard in relation to the Chief Constable's letter of complaint and in clarification of questions raised by members. There were no questions to Sergeant Bellingham from the licence holder.

The licence holder was heard in relation to the letter of complaint and in clarification of questions raised by members. There were no questions to the licence holder from Sergeant Bellingham.

Both parties summed up.

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

Councillor Goldie, seconded by Councillor Flynn moved that the committee:-

1. revoke the taxi driver licence in terms of the Civic Government (Scotland) Act 1982, Schedule 1 paragraph 11(2)(c) on the ground that carrying on of the activity to which the licence relates is likely to cause undue public nuisance or a threat to public order or safety, and
2. to revoke immediately in terms of Schedule 1 paragraph 11(10) of the Act.

As an amendment, Provost Buchanan, seconded by Councillor Blackwood, moved that the committee take no further action.

On a division, 6 Members voted for the Motion and 3 for the Amendment.

### **Decision**

**The committee agreed the motion.**