

FALKIRK COUNCIL

MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 5 MAY 2010 at 9.30 A.M.

PRESENT: Provost Reid; Councillors Blackwood, Hughes, McLuckie, Nicol, Nimmo and Waddell.

CONVENER: Councillor Nicol.

APOLOGIES: Councillors Kenna and Thomson.

ATTENDING: Director of Development Services; Acting Director of Law and Administration; Licensing Co-ordinator (B Douglas); Enforcement Officer (B Sampson); Solicitor (F Kobiela); and Committee Officer (A Sobieraj).

DECLARATIONS None
OF INTEREST:

CL9. MINUTE

There was submitted and **APPROVED** Minute of Meeting of the Civic Licensing Committee held on 7 April 2010.

CL10. 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.

CL11. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr M, entered the meeting.

Chief Inspector G Taylor, Central Scotland Police, entered the meeting.

There was submitted Report (circulated) dated 28 April 2010 by the Director of Development Services on an application for the grant of a new taxi driver licence (a) advising of the background to the application; (b) detailing the consultations undertaken and responses received; and (c) detailing the applicant's record.

Chief Inspector Taylor spoke in amplification of the Police's objection, a copy of which had been circulated to the Committee.

Mr M spoke in support of the application.

Questions were then asked by Members of the Committee.

AGREED that a short adjournment take place to enable the Committee to consider the submissions.

The applicant, Mr M, and Chief Inspector Taylor left and were then recalled to the meeting.

AGREED:-

- (a) subject to the applicant providing evidence that he has passed the Council's medical test to **GRANT** the licence for a period of six months subject to the standard conditions together a warning letter highlighting the standards expected of taxi drivers. In the event that the applicant does not pass the medical test, the Director of Development Services is authorised to refuse the application; and
- (b) that should an application for renewal of the licence be received subsequent to the period currently granted, said application will be referred to Committee for consideration.

Councillor Hughes entered the meeting following consideration of the foregoing item of business.

CL12. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE (CONTINUATION)

The applicant, Mr W, entered the meeting together with his interpreter, Mr S.

With reference to Minute of Meeting of the Civic Licensing Committee held on 7 April 2010 (Paragraph CL6 refers), there was submitted Report (circulated) dated 28 April 2010 by the Director of Development Services on an application for the grant of a new taxi driver licence (a) advising of the background to the application; (b) detailing the consultations undertaken and responses received; and (c) detailing the applicant's record.

Mr W, spoke in support of the application, through the medium of his interpreter, Mr S.

Questions were then asked by Members of the Committee.

AGREED that a short adjournment take place to enable the Committee to consider the submissions.

The applicant, Mr W, and his interpreter Mr S, left and were then recalled to the meeting.

AGREED to **REFUSE** the licence:

- (a) in terms of the Civic Government (Scotland) Act 1982, Section 13 (5) on the ground that the applicant, having failed to pass the knowledge test, has failed to satisfy the authority that he had adequate knowledge of matters raised therein; and
- (b) in terms of the Civic Government (Scotland) Act 1982, Schedule 1 paragraph 5(3) (a) (ii) on the ground that the applicant is not a fit and proper person to be the holder of such a licence.

CL13. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

The applicant, Mr MacK, entered the meeting.

There was submitted Report (circulated) dated 28 April 2010 by the Director of Development Services on an application for the renewal of a taxi driver licence (a) advising of the background to the application; (b) detailing the consultations undertaken and responses received; and (c) detailing the applicant's record.

Mr MacK spoke in support of the application.

Questions were then asked by Members of the Committee.

AGREED to **GRANT** renewal of the licence for a period of one year subject to the standard conditions together with a warning letter.

CL14. APPLICATION FOR THE RENEWAL OF A TAXI OPERATOR LICENCE

The applicant, Mr MacK, entered the meeting.

There was submitted Report (circulated) dated 28 April 2010 by the Director of Development Services on an application for the renewal of a taxi operator licence (a) advising of the background to the application; (b) detailing the consultations undertaken and responses received; and (c) detailing the applicant's record.

Mr MacK spoke in support of the application.

Questions were then asked by Members of the Committee.

AGREED to **GRANT** renewal of the licence for a period of one year subject to the standard conditions together with a warning letter.

CL15. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr M, entered the meeting.

There was submitted Report (circulated) dated 28 April 2010 by the Director of Development Services on an application for the grant of a new taxi driver licence

(a) advising of the background to the application; (b) detailing the consultations undertaken and responses received; and (c) detailing the applicant's record.

Mr M spoke in support of the application.

Questions were then asked by Members of the Committee.

AGREED that a short adjournment take place to enable the Committee to consider the submissions.

The applicant, Mr M, left and was then recalled to the meeting.

AGREED:-

- (a) that the applicant be given a final opportunity to take and pass the knowledge test, and subsequently to provide evidence that he has passed the Council's medical test and thereafter to remit to the Director of Development Services to grant the application; and
- (b) that, should the applicant fail either of the knowledge or medical tests, to authorise the Director of Development Services to refuse the application without further reference to Committee.