

FALKIRK COUNCIL

MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 1 JUNE 2011 at 9.30 A.M.

PRESENT: Councillors Blackwood, Jackson, Kenna, McLuckie, Nicol, Thomson and Waddell.

CONVENER: Councillor Nicol.

APOLOGIES: Provost Reid and Councillor Nimmo.

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

DECLARATIONS None.

OF INTEREST:

CL14. MINUTE

There was submitted and **APPROVED** Minute of Meeting of the Civic Licensing Committee held on 4 May 2011.

CL15. 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.

CL16. APPLICATION FOR THE GRANT OF 3 ADDITIONAL TAXI OPERATOR LICENCES

A Director of the applicant company, Mr B, entered the meeting.

There was submitted Report (circulated) dated 24 May 2011 by the Acting Director of Law and Administration Services on applications for the grant of three additional taxi operator licences (a) advising of the background to the applications; (b) detailing the consultations undertaken and the responses received; and (c) detailing the record of the company Directors.

Mr B spoke in support of the application.

Questions were then asked by Members of the Committee.

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

Mr B, left and was then recalled to the meeting.

AGREED to **GRANT** the licences subject to the standard conditions.

CL17. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

The applicant, Mr C, entered the meeting together with his representative Mr S.

There was submitted Report (circulated) dated 24 May 2011 by the Acting Director of Law and Administration Services on an application for the renewal of a taxi driver licence (a) advising of the background to the application; and (b) detailing the consultations undertaken and the responses received.

Mr S, the applicant's representative, spoke in support of the application.

Questions were then asked by Members of the Committee.

Having regard to the submission made on behalf of the applicant and to his undertaking regarding the use of spectacles, Committee **AGREED** that a departure from policy was justified in this case and accordingly **GRANTED** the licence for a period of one year subject to the standard conditions.

CL18. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

The applicant, Mr M, entered the meeting together with his representative Mr S.

There was submitted Report (circulated) dated 24 May 2011 by the Acting Director of Law and Administration 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 the responses received; and (c) detailing the applicant's record.

Mr S, the applicant's representative, spoke in support of the application.

Questions were then asked by Members of the Committee.

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

The applicant, Mr M, and his representative, Mr S, left and were then recalled to the meeting.

AGREED to **GRANT** the licence for a period of one year subject to the standard conditions with a warning letter detailing the standards expected of taxi drivers.

CL19. APPLICATION FOR THE RENEWAL OF A TAXI OPERATOR LICENCE

The applicant, Mr M, entered the meeting together with his representative Mr S.

The objectors Ms G, Mr H and Mr G entered the meeting.

There was submitted Report (circulated) dated 24 May 2011 by the Acting Director of Law and Administration 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 the responses received; and (c) detailing the applicant's record.

Mr S, as a preliminary matter, raised concerns in relation to the competency of the objections. After consideration, the Committee agreed that the objection letters did not fully comply with Schedule 1 of Paragraph 3 of the Civic Government (Scotland) Act 1982 and would not therefore be considered.

The objectors Ms G, Mr H and Mr G then left the meeting.

Mr S, the applicant's representative, spoke in support of the application.

Questions were then asked by Members of the Committee.

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

The applicant, Mr M, and his representative Mr S, left and were then recalled to the meeting.

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

Councillors Waddell and Thomson left the meeting prior to consideration of the following item of business.

CL20. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr L, entered the meeting.

There was submitted Report (circulated) dated 24 May 2011 by the Acting Director of Law and Administration Services on an application for the grant of a new taxi driver licence (a) advising of the background to the application; and (b) detailing the consultations undertaken and the responses received.

Mr L spoke in support of the application.

Questions were then asked by Members of the Committee.

AGREED (1) that there had been a material change of circumstances since the decision of Committee taken on 10 February 2011 allowing this application to be considered

within a period of one year from that decision, and (2) **AGREED** to **GRANT** the licence for a period of one year subject to the standard conditions.

CL21. APPLICATION FOR THE RENEWAL OF A LATE HOURS CATERING LICENCE

The applicant, Mrs D, entered the meeting together with Mr K, the day to day manager of the Polmont premises and Mr S, the day to day manager of the application premises.

There was submitted Report (circulated) dated 24 May 2011 by the Acting Director of Law and Administration Services on an application for the renewal of a late hours catering licence (a) advising of the background to the application; (b) detailing the consultations undertaken and responses received; and (c) attaching as appendices 1 to 3 respectively, the late hours catering policy, the late hours catering conditions and a location plan.

Mrs D spoke in support of the application.

Questions were then asked by Members of the Committee.

In light of the submissions made, **AGREED** that a departure from the Council's policy was justified in this case and therefore to **GRANT** the renewal of the late hours catering licence subject to the standard conditions.

In terms of Standing Order 9.1 the Committee agreed that, in order to comply with the requirements of an Internal Audit report, the undernoted item would be considered as a matter of urgency and in public.

CL22. LIST OF APPLICATIONS GRANTED UNDER DELEGATED POWERS IN APRIL 2011

There was submitted Report (circulated) dated 31 May 2011 by the Acting Director of Law and Administration Services on applications granted under delegated powers between 1 and 30 April 2011 in terms of the Civic Government (Scotland) Act 1982 and the Marriage (Approval of Places) (Scotland) Regulations 2002.

NOTED