

FALKIRK COUNCIL

MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 8 AUGUST 2012 at 9.30 A.M.

PRESENT: Provost Reid; Councillors D Goldie, Hughes, McLuckie, Nicol, Ritchie and Turner.

CONVENER: Councillor Nicol.

APOLOGIES: Councillors Blackwood, Buchanan and McNally.

ATTENDING: Chief Governance Officer; Licensing Co-ordinator; and Democratic Services Manager.

CL30. DECLARATION OF INTEREST

Councillor Ritchie declared that she may have a financial interest in Item 13 (minute CL43) as her husband worked in the same profession and in the same area as the applicant. Consequently, she advised that she would take no part in discussion or consideration of the item of business.

CL31. MINUTE

There was submitted and **APPROVED** Minute of Meeting of the Civic Licensing Committee held on 18 June 2012.

CL32. LIST OF APPLICATIONS GRANTED UNDER DELEGATED POWERS IN MAY AND JUNE 2012

There was submitted Report (circulated) dated 31 July 2012 by the Chief Governance Officer detailing (i) applications granted under delegated powers between 1 May and 30 June 2012 in terms of the Civic Government (Scotland) Act 1982 and the Marriage (Approval of Places) (Scotland) Regulations 2002; (ii) notifications received during the same period for parades and marches and (iii) decisions taken by officers under recess powers granted by Council on 20 June 2012.

NOTED

CL33. 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 ground 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.

CL34. ORDER OF BUSINESS

In terms of Standing Order 15.2(i), Councillor Nicol advised of a variation to the order of business from that detailed on the agenda for the meeting. The following items have been recorded in the order that they were taken.

CL35. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The Applicant, Mr B, was not in attendance. The Licensing Co-ordinator advised that contact had been made with the applicant. He had indicated that he would not be attending the meeting nor be represented. The Committee agreed to consider the application in his absence.

Chief Inspector G Taylor and PC S Leishman, Central Scotland Police entered the meeting.

There was submitted Report (circulated) dated 30 July 2012 by the Chief Governance Officer 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 the responses received; and (c) detailing the applicant's record.

Chief Inspector G Taylor then spoke in amplification of the objection submitted by Central Scotland Police, a copy of which had been provided to Members of the Committee.

AGREED to REFUSE to grant the licence in terms of (i) 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 and (ii) Section 13(5) of the said Act on the ground that, having failed to pass the knowledge test, the applicant had failed to satisfy the Authority that he had adequate knowledge of the area to which the licence relates and the layout of roads in the area.

Councillor Hughes entered the meeting prior to consideration of the following item of business.

CL36. APPLICATION FOR THE RENEWAL OF A LATE HOURS CATERING LICENCE

A Director of the applicant company, Mrs D, together with Mr K, Administrative Officer and Mr D, day to day manager, entered the meeting.

There was submitted Report (circulated) dated 31 July 2012 by the Chief Governance Officer 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.

AGREED that a departure from the Council's policy was justified and therefore to **RENEW** the licence for a period of three years subject to the standard conditions.

CL37. APPLICATION FOR THE GRANT OF AN ADDITIONAL PRIVATE HIRE CAR OPERATOR LICENCE

A director of the applicant company, Mr McB, together with his wife, Mrs McB, entered the meeting.

There was submitted Report (circulated) dated 30 July 2012 by the Chief Governance Officer on an application for the grant of an additional private hire car operator licence (a) advising of the background to the application; (b) detailing the consultations undertaken and the responses received; and (c) detailing the record of one of the directors of the applicant company.

Mr McB spoke in support of the application.

Questions were then asked by Members of the Committee.

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

CL38. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr G, entered the meeting.

There was submitted Report (circulated) dated 31 July 2012 by the Chief Governance Officer 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 the responses received; and (c) detailing the applicant's record.

Mr G spoke in support of the application.

Questions were then asked by Members of the Committee.

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

CL39. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr K, entered the meeting.

There was submitted Report (circulated) dated 31 July 2012 by the Chief Governance Officer 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 the responses received; and (c) detailing the applicant's record.

Mr K spoke in support of the application and submitted letters of support from his father, a family friend and prospective employers. The letters were circulated among the Committee Members.

Questions were then asked by Members of the Committee.

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

CL40. APPLICATION FOR THE GRANT OF A NEW PRIVATE HIRE CAR DRIVER LICENCE

The applicant, Mr R, entered the meeting.

There was submitted Report (circulated) dated 31 July 2012 by the Chief Governance Officer on an application for the grant of a new private hire car 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 R spoke in support of the application and referred to a letter commenting on his good character, a copy of which was circulated to the Committee in support of his application.

Questions were asked by Members of the Committee.

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

CL41. APPLICATIONS FOR THE RENEWAL OF A TAXI DRIVER AND A TAXI OPERATOR LICENCE

The applicant, Mr P, entered the meeting.

There was submitted Report (circulated) dated 31 July 2012 by the Chief Governance Officer on applications for the renewal of a taxi driver and a taxi operator licence (a) advising of the background to the applications; (b) detailing the consultations undertaken and the responses received; and (c) detailing the applicant's record.

Mr P spoke in support of the applications.

Questions were asked by Members of the Committee.

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

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

AGREED (i) to **RENEW** the licences for a period of 6 months with a warning letter and subject to the standard conditions and (ii) that any subsequent application for a renewal of either or both licenses should be referred to Committee for determination.

CL42. APPLICATION FOR THE RENEWAL OF A PRIVATE HIRE CAR DRIVER LICENCE

The applicant, Mr J, entered the meeting.

There was submitted Report (circulated) dated 31 July 2012 by the Chief Governance Officer on an application for the renewal of a private hire car 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 J spoke in support of the application.

Questions were asked by Members of the Committee.

AGREED to **RENEW** the licence for a period of one year subject to the standard conditions.

Councillor Ritchie left the meeting prior to consideration of the following item of business.

CL43. APPLICATION FOR THE GRANT OF A NEW WINDOW CLEANER LICENCE

The applicant, McL, entered the meeting.

There was submitted Report (circulated) dated 31 July 2012 by the Chief Governance Officer on an application for the grant of a new window cleaner 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 McL spoke in support of the application.

Questions were asked by Members of the Committee.

AGREED to **GRANT** the licence for a period of three years subject to the standard conditions.