

FALKIRK COUNCIL

MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 8 MAY 2013 at 9.30 A.M.

PRESENT: Provost Reid; Depute Provost Patrick; Baillie Buchanan and Councillors Blackwood and Hughes.

CONVENER: Provost Reid.

ATTENDING: Chief Governance Officer; Licensing Co-ordinator; Senior Solicitor (F Kobiela); Licensing Enforcement Officer (B Samson) (for agenda item CL14); and Committee Officer (A Sobieraj).

CL10. APOLOGIES

No apologies were intimated.

CL11. DECLARATIONS OF INTEREST

No declarations were made.

CL12. MINUTE

There was submitted and **APPROVED** Minute of Meeting of the Civic Licensing Committee held on 10 April 2013.

CL13. LIST OF APPLICATIONS GRANTED UNDER DELEGATED POWERS AND NOTIFICATIONS OF PUBLIC PROCESSIONS RECEIVED IN MARCH 2013

There was submitted Report (circulated) dated 30 April 2013 by the Chief Governance Officer detailing (a) applications granted under delegated powers between 1 to 31 March 2013 in terms of the Civic Government (Scotland) Act 1982 and the Marriage (Approval of Places) (Scotland) Regulations 2002, and (b) notifications of public processions received during the same period.

CL14. CIVIC LICENSING ENFORCEMENT - APRIL 2013

There was submitted Report (circulated) dated 30 April 2013 by the Chief Governance Officer giving an overview of enforcement action taken with regard to Civic Licensing activities during April 2013.

NOTED.

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 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.

CL16. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr B, entered the meeting.

There was submitted Report (circulated) dated 30 April 2013 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 B spoke in support of the application and referred to a letter from his general practitioner, a copy of which was circulated to the Committee.

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.

CL17. APPLICATIONS FOR THE RENEWAL OF A TAXI DRIVER LICENCE AND TAXI OPERATOR LICENCE

The applicant, Mr W, entered the meeting.

There was submitted Report (circulated) dated 30 April 2013 by the Chief Governance Officer on applications for the renewal of a taxi driver licence 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 W spoke in support of the applications.

Questions were then asked by Members of the Committee.

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

CL18. APPLICATION FOR THE GRANT OF A SECOND HAND DEALER LICENCE

The Director of the applicant company, and day to day manager, Mr R, his representative, Mr W, and the objector's representative, Ms D, entered the meeting.

There was submitted Report (circulated) dated 30 April 2013 by the Chief Governance Officer on an application for the grant of a second hand dealer licence (a) advising of the background to the application; (b) detailing the consultations undertaken and the responses received, and (c) detailing the record of the company Director.

The Director of the applicant company, Mr R, advised that he had no preliminary points to make on the competency of the letter of objection as submitted by the objector. The said Director also requested circulation of additional information in support of the application. Copies of the documentation from both parties were circulated.

Ms D then spoke in amplification of the objection.

Questions were asked of the objector's representative, Ms D, by Members of the Committee. The Director of the applicant company, Mr R, stated that he had no questions for the objector's representative.

Mr R was then heard in relation to the objection and to the application.

Questions were asked of the applicant by Members of the Committee and the objector's representative.

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

The Director of the applicant company, Mr R, his representative, Mr W, and the objector's representative, Ms D, left and were then recalled to the meeting.

AGREED:-

- (1) to **GRANT** the licence for a period of three years, subject to the standard conditions;
- (2) that the site landlords would be asked by the applicant company whether the portacabin could be sited in a more appropriate location on the site away from the charity structures; and
- (3) that the Licensing Enforcement Officer would monitor the site in the proximity of the various recycling structures and report any problems to Committee, as appropriate.