

FALKIRK COUNCIL

MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 5 JUNE 2013 at 9.30 A.M.

PRESENT: Provost Reid; Depute Provost Patrick; Baillie Paterson and Councillors Blackwood and Turner.

CONVENER: Provost Reid.

ATTENDING: Chief Governance Officer; Licensing Co-ordinator; Senior Solicitor (F Kobiela); Licensing Enforcement Officer (B Samson); Food and Safety Co-ordinator and Senior Committee Services Officer.

CL19. APOLOGIES

No apologies were intimated.

CL20. DECLARATIONS OF INTEREST

No declarations were made.

CL21. MINUTE

There was submitted and **APPROVED** Minute of Meeting of the Civic Licensing Committee held on 8 May 2013.

CL22. VARIATION IN ORDER OF BUSINESS

The following items have been recorded in the order they were taken at the meeting.

CL23. LIST OF APPLICATIONS GRANTED UNDER DELEGATED POWERS AND NOTIFICATIONS OF PUBLIC PROCESSIONS RECEIVED IN APRIL 2013

There was submitted Report (circulated) dated 27 May 2013 by the Chief Governance Officer detailing (a) applications granted under delegated powers between 1 to 30 April 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.

NOTED.

CL24. CIVIC LICENSING ENFORCEMENT - MAY 2013

There was submitted Report (circulated) dated 29 May 2013 by the Chief Governance Officer giving an overview of enforcement action taken with regard to Civic Licensing activities during May 2013.

NOTED.

CL25. CIVIC LICENSING ENFORCEMENT – HOUSES IN MULTIPLE OCCUPATION (HMOs)

There was submitted Report (circulated) dated 30 May 2013 by the Chief Governance Officer presenting information on the HMOs currently licensed, their locations and the issues that arise from unlicensed HMOs.

NOTED.

CL26. 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.

CL27. APPLICATION FOR THE RENEWAL OF A LATE HOURS CATERING LICENCE

The applicant, Mrs D, entered the meeting and was accompanied by Mr D, the day to day manager.

There was submitted Report (circulated) dated 29 May 2013 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 the responses received, and (c) attaching as appendices 1-3 respectively, the late hours catering policy, the late hours catering conditions and a location plan.

Ms D spoke in support of her application.

Questions were then asked by Members of the Committee.

AGREED that a departure from policy was justified and to **RENEW** the late hours catering licence for a period of 3 years.

CL28. APPLICATION FOR THE RENEWAL OF A LATE HOURS CATERING LICENCE

The applicant, Mr H, entered the meeting.

There was submitted Report (circulated) dated 28 May 2013 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 the responses received, and (c) attaching as appendices 1-3 respectively, the late hours catering policy, the late hours catering conditions and a location plan.

Mr H spoke in support of his application.

Questions were then asked my Members of the Committee.

AGREED that a departure from policy was justified and to **RENEW** the late hours catering licence for a period of 3 years.

CL29. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr W, entered the meeting.

There was submitted Report (circulated) dated 29 May 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 W spoke in support of his application.

Questions were then asked by Members of the Committee.

AGREED to **GRANT** a Taxi Driver Licence subject to the standard conditions.

CL30. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

The applicant, Mr McC, entered the meeting and was accompanied by a fellow taxi driver, Mr McK.

There was submitted Report (circulated) dated 29 May 2013 by the Chief Governance Officer on an application for the renewal of a taxi driver licence continued from an earlier meeting of the Committee on 13 March 2013. The report provided an update on Mr McC's actions to address previously identified health concerns. Attached to the report as an appendix was the report to the earlier Committee.

Mr McK, speaking for Mr McC, gave a full and frank overview of Mr McC's current status and requested the Committee to understand his position when determining the application.

Questions were asked of both Mr McC and Mr McK by Members of the Committee.

AGREED to **RENEW** the taxi driver licence for Mr McC, for a period of 6 months, on the basis that, should Mr McC apply to renew his licence again, he will be expected to provide further reports on the status of his continued rehabilitation including full reports from Signpost or an equivalent organisation, and a more comprehensive medical statement.

CL31. APPLICATION FOR THE GRANT OF AN ADDITIONAL TAXI OPERATOR LICENCE

The applicant, Mr F, entered the meeting.

There was submitted Report (circulated) dated 28 May 2013 by the Chief Governance Officer on an application for the grant of an additional Taxi Operator Licence (a) advising of the background to the application; (b) detailing the consultations undertaken and the responses received, and (c) presenting details of the vehicle to be operated.

Mr F spoke in support of his application.

Questions were then asked by Members of the Committee.

AGREED to **GRANT** an additional Taxi Operator Licence.

CL32. APPLICATION FOR THE GRANT OF A NEW STREET TRADER LICENCE

The applicant, Mr S, entered the meeting.

There was submitted Report (circulated) dated 28 May 2013 by the Chief Governance Officer on an application for the grant of a new Street Trader 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 S spoke in support of his application.

Questions were then asked by Members of the Committee.

AGREED to **GRANT** a Street Trader Licence, subject to the standard conditions, for a period of 3 years.

CL33. APPLICATION FOR THE GRANT OF A NEW SKIN PIERCING AND TATTOOING LICENCE

The applicant, Ms H, was not in attendance.

There was submitted Report (circulated) dated 7 May 2013 by the Chief Governance Officer on an application for the grant of a new skin piercing and tattooing licence (a) advising of the background to the application; (b) outlining the licence conditions; (c) detailing the consultations undertaken and responses received, and (d) summarising the experience and training of the proposed tattooist.

AGREED to **CONTINUE** consideration to a future meeting to enable the applicant to be present.