

**MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 16 MARCH 2016 at 9.30 a.m.**

**COUNCILLORS:**

Jim Blackwood  
Gordon Hughes  
Depute Provost John Patrick  
Provost Pat Reid (Convener)  
Ann Ritchie  
Sandy Turner

**OFFICERS:**

Bryan Douglas, Licensing Co-ordinator  
Arlene Fraser, Committee Services Officer  
Rose Mary Glackin, Chief Governance Officer  
Frances Kobiela, Senior Solicitor

**CL137. APOLOGIES**

Apologies for absence were intimated on behalf of Baillie Joan Paterson and Councillor Paul Garner.

**CL138. DECLARATIONS OF INTEREST**

No declarations were intimated.

**CL139. MINUTE**

**Decision**

The minute of the meeting of the Civic Licensing Committee held on 10 February 2016 was approved.

**CL140. LIST OF APPLICATIONS GRANTED UNDER DELEGATED POWERS IN JANUARY 2016 AND NOTIFICATIONS OF PUBLIC PROCESSIONS PENDING**

The committee considered a report by the Chief Governance Officer detailing (a) applications granted under delegated powers between 1 January and 31 January 2016 in terms of the Civic Government (Scotland) Act 1982, and (b) notifications of pending public processions.

**Decision**

The committee noted the report.

#### **CL141. CIVIC LICENSING ENFORCEMENT – JANUARY 2016**

The committee considered a report by the Chief Governance Officer giving an overview of enforcement action taken with regard to Civic Licensing activities during January 2016.

##### **Decision**

**The committee noted the report.**

Councillor Hughes joined the meeting during consideration of the previous item.

#### **CL142. 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.

#### **CL143. LICENSING OF HOUSES IN MULTIPLE OCCUPATION**

The committee considered a report by the Chief Governance Officer providing members with an update on the rationale and requirements that underpin the licensing of Houses in Multiple Occupation (HMOs) along with details of the current licensed HMO's in the Falkirk Council area, set out in Appendix 1 to the report.

##### **Decision**

**The committee noted the report.**

#### **CL144. APPLICATION FOR THE GRANT OF A NEW SKIN PIERCING AND TATTOOING LICENCE**

The applicant, Ms C, entered the meeting and was accompanied by her mother, Mrs C.

The committee considered a report 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.

##### **Decision**

**The committee agreed to grant the skin piercing and tattooing licence for a period of one year subject to the standard conditions.**

**CL145. APPLICATIONS FOR THE GRANT OF 3 NEW PRIVATE HIRE CAR OPERATOR LICENCES**

Ms B and Ms M, the two directors of the applicant company, entered the meeting.

The committee considered a report by the Chief Governance Officer on applications received for the grant of 3 private hire car operator licences (a) advising of the background to the applications, and (b) summarising the consultations undertaken and responses received.

**Decision**

**The committee agreed to grant 3 private hire car operator licences for a period of one year, subject to the standard conditions.**

**CL146. APPLICATION FOR THE GRANT OF A NEW LATE HOURS CATERING LICENCE**

Ms A, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received for the grant of a late hours catering licence (a) advising on the application; (b) referring to the recent amendments made to the policy and conditions applicable to late hours catering licences as it relates to Falkirk Town Centre, and (c) detailing the consultations undertaken and the responses received.

Ms A spoke in support of the application.

Questions were then asked by members of the committee.

**Decision**

**The committee agreed to grant the late hours catering licence for a period of three years, subject to the standard conditions.**

**CL147. APPLICATION FOR THE VARIATION OF LATE HOURS CATERING LICENCE NUMBER 252**

Ms D, Director and Mr D, the day to day manager of the applicant company, entered the meeting.

The committee considered a report by the Chief Governance Officer on an application received for the variation of late hours catering licence No.252 (a) advising on the application; (b) referring to the recent amendments made to the policy and conditions applicable to late hours catering licences as it relates to Falkirk Town Centre, and (c) detailing the consultations undertaken and the responses received.

**Decision**

**The committee agreed to grant the variation of late hours catering licence No.252.**

**CL148. SUSPENSION HEARING IN RELATION TO TAXI DRIVER LICENCE NO. 344**

Mr D, licenceholder, entered the meeting.

The committee considered a report by the Chief Governance Officer (a) detailing the standard of fitness level required for licensed taxi drivers; (b) summarising the medical condition of the licenceholder, and (c) the background and outcome of an independent medical analysis which that licenceholder had recently undertaken.

Mr D was heard in relation to his medical condition.

Questions were asked of the licenceholder by members of the committee.

Mr D was invited to sum up.

Thereafter, the committee agreed to a short adjournment.

The committee adjourned at 10.10 a.m. and reconvened at 10.20 a.m. with all members present as per the sederunt.

**Decision**

**The committee agreed to suspend the taxi driver licence for the unexpired portion of the duration of the licence, in terms of the Civic Government (Scotland) Act 1982, Schedule 1 paragraph 11(2)(v) on the ground of public safety.**

**CL149. SUSPENSION HEARING IN RELATION TO TAXI DRIVER LICENCE NO. 2033**

Mr M, licenceholder, entered the meeting.

The committee considered a report by the Chief Governance Officer advising that the licenceholder had omitted to disclose two convictions at the time of submitting his original taxi driver licence application.

Mr M was heard in relation to the reason for these omissions.

Questions were asked of the licenceholder by members of the committee.

Mr M was invited to sum up.

**Decision**

**The committee agreed to take no further action.**

#### **CL150. APPLICATION FOR THE RENEWAL OF A SECOND HAND DEALER LICENCE (USED VEHICLES)**

Mr M, agent, and 4 employees of the applicant company, entered the meeting. Mr Whittle, Development Management Co-ordinator, Falkirk Council also entered the meeting.

The committee considered a report by the Chief Governance Officer on an application for the renewal of a second hand dealer licence (used vehicles) (a) advising of the background to the application; (b) summarising the consultations undertaken and the responses received, and (c) confirming that a letter of objection had been received in respect of the renewal application.

The Licensing Co-ordinator advised that the objectors, Mr & Mrs H, were unable to attend this meeting.

The agent, Mr M, advised that he had no preliminary points to make on the competency of the letter of objection.

The Licensing Co-ordinator referred to a submission from the applicant company in response to the letter of objection. The committee agreed that both the letter of objection and the submission be circulated.

Mr M was heard in support of his client's application and in relation to concerns raised in the objection and the action taken to address specific issues.

Questions were then asked by members of the committee.

Mr Whittle was then heard in relation to specific planning issues referred to in the letter of objection.

#### **Decision**

**The committee agreed to grant the renewal of the second hand dealer licence (used vehicles) for a period of 3 years, subject to the standard conditions.**

#### **CL151. APPLICATION FOR THE GRANT OF A NEW TAXI OPERATOR LICENCE**

Mr S, applicant, entered the meeting.

One objector, Mr D entered the meeting accompanied by his agent, Mr S and Ms B, Interpreter. Mr S, agent, advised that the other objector, Mr N, would not be attending as he was currently out of the country.

The committee considered a report by the Chief Governance Officer on an application for the grant of a new taxi operator licence (a) advising on the background to the application; (b) summarising the consultations undertaken and responses received; (c) detailed the applicant's record; (d) confirming that two letters of objection had been received in respect of the application, and (e) referring to the meeting of the Civic Licensing Committee held on 13 January 2016 when the applicant had requested a continuation, due to him being unable to attend due to illness.

Mr S, agent, referred to the meeting on 13 January 2016 and sought clarification on whether medical evidence had been submitted by the applicant confirming that he had attended his GP.

The Licensing Co-ordinator advised that a letter had been received from the applicant's GP confirming that Mr S, had attended a GP appointment on 13 January 2016.

The letters of objection were circulated to members. The applicant had also submitted two letters of support, and with the agreement of the objectors' agent, these were also circulated to members.

Mr S, agent, was heard in relation to his clients' objections to the application.

No questions were asked of the agent by the applicant or members of the committee.

The applicant, Mr S, was then heard in support of his application and in response to issues raised in the letters of objection.

Questions were asked of the applicant by Mr S, agent and by members of the committee.

Both parties were invited to sum up.

Thereafter, the committee agreed to a short adjournment.

The committee adjourned at 12.10 p.m. and reconvened at 12.20 p.m. with all members present as per the sederunt

### **Decision**

**The committee agreed to grant the new taxi operator licence for a period of one year, subject to the standard conditions.**

## **CL152. SUSPENSION HEARING IN RELATION TO TAXI DRIVER LICENCE NO. 1889**

Mr S, the licenceholder, entered the meeting. One complainant, Mr D entered the meeting accompanied by his agent, Mr S and Ms B, Interpreter. Mr S, agent, advised that he was also representing another complainant, Mr N, but that he would not be attending as he was currently out of the country. Four other complainers also entered the meeting, namely, Mr S S, Mr H P, Mr J S, and Mr K S.

Members were advised of the background to the complaint which relates to two letters of complaint submitted to the licensing section, alleging that the taxi driver is not a fit and proper person to be the holder of a taxi driver licence. Six taxi drivers and one private hire car driver had also made complaints against the licenceholder, and each had attended the licensing offices and submitted individual statements.

The two letters of complaint, witness statements and two letters of support submitted on behalf of the licenceholder, were circulated to members of the committee.

Mr S, agent, was heard in relation to his clients' letters of complaint.

Mr H P, on behalf of the other 3 complainants in attendance, was heard in relation to their complaints.

The licenceholder, Mr S, was then heard in response to the issues and concerns raised in the complaints.

Questions were asked of the licenceholder by Mr S, agent and by members of the committee.

Both parties were invited to sum up.

Thereafter, the committee agreed to a short adjournment.

The committee adjourned at 12.55 p.m. and reconvened at 1.05 p.m. with all members present as per the sederunt

### **Decision**

**The committee agreed to take no further action.**





**FALKIRK COUNCIL**

**Subject: LIST OF APPLICATIONS GRANTED UNDER DELEGATED POWERS IN FEBRUARY 2016 AND NOTIFICATIONS OF PUBLIC PROCESSIONS PENDING**  
**Meeting: CIVIC LICENSING COMMITTEE**  
**Date: 20 APRIL 2016**  
**Author: CHIEF GOVERNANCE OFFICER**

**1. INTRODUCTION**

- 1.1 The purpose of this report is to provide to Members details of all applications made under the Civic Government (Scotland) Act 1982 which were granted by officers under delegated powers between 1 February 2016 and 29 February 2016 along with pending Public Processions.

**2. REPORT**

- 2.1 The Appendices to this report provide details of applications granted by officers under delegated powers and notifications of pending Public Processions.
- 2.2 Appendix 1 details new and renewal applications made under the Civic Government (Scotland) Act 1982 in relation to taxi and private hire.

**February 2016 – Appendix 1**

<b>Application Type</b>	<b>Private Hire Operator</b>	<b>Private Hire Driver</b>	<b>Taxi Operator</b>	<b>Taxi Driver</b>
New	1	5	1	2
Renewal	16	8	31	41

- 2.3 Appendix 2 details all other types of new and renewal applications made under the Civic Government (Scotland) Act 1982.

**February 2016– Appendix 2**

<b>Application</b>	<b>Type</b>	<b>Number</b>
Late Hours Catering	Renewal	2
Public Charitable Collection	Temporary	7
Second Hand Dealer	Renewal	1

- 2.4 Appendix 3 details 27 parades notified to the licensing authority which are currently pending. This differs from the other applications received as the statutory requirement is for the Licensing Authority to be notified of a proposed parade or march rather than for an organisation to apply for a licence to hold a parade or march.

### **3. RECOMMENDATION**

**3.1 It is recommended that Members note the contents of this report.**

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**Chief Governance Officer**

**Date: 12 April 2016**

**Contact Officer: Bryan Douglas, Licensing Co-ordinator (telephone 501262)**

#### **LIST OF BACKGROUND PAPERS**

None.

	Reference No.	Type	Type	Date Received	Status	Decision Date	Individual
1	462	Private Hire Car Driver	New	07/01/2016	Delegate	08/02/2016	Laing, Graeme John
2	463	Private Hire Car Driver	New	08/01/2016	Delegate	08/02/2016	Crawford, James Parker
3	379	Private Hire Car Driver	New	19/01/2016	Delegate	18/02/2016	Campbell, Colin Bain
4	464	Private Hire Car Driver	New	20/01/2016	Delegate	18/02/2016	Gibson, Gavin Kenneth
5	466	Private Hire Car Driver	New	22/01/2016	Delegate	22/02/2016	Anjum, Muhammad Afzal
6	364	Private Hire Car Driver	Renewal	06/01/2016	Delegate	05/02/2016	Hagen, David James
7	337	Private Hire Car Driver	Renewal	06/01/2016	Delegate	05/02/2016	Anderson, William
8	338	Private Hire Car Driver	Renewal	07/01/2016	Delegate	05/02/2016	Prentice, James Craig
9	404	Private Hire Car Driver	Renewal	07/01/2016	Delegate	05/02/2016	Brown, Timothy William
10	406	Private Hire Car Driver	Renewal	14/01/2016	Delegate	12/02/2016	McNiven, Andrew John David
11	365	Private Hire Car Driver	Renewal	18/01/2016	Delegate	26/02/2016	Mahmood, Asad
12	261	Private Hire Car Driver	Renewal	28/01/2016	Delegate	26/02/2016	Matheson, Peter Sinclair Stewart
13	402	Private Hire Car Driver	Renewal	29/01/2016	Delegate	26/02/2016	McFarlane, Gary
14	017	Private Hire Car Operator	New	26/01/2016	Delegate	24/02/2016	Anderson, John Malcolm
15	016	Private Hire Car Operator	Renewal	05/01/2016	Delegate	05/02/2016	Mlilo, Phethezakhe
16	058	Private Hire Car Operator	Renewal	06/01/2016	Delegate	05/02/2016	Bruce Taxis Ltd
17	059	Private Hire Car Operator	Renewal	06/01/2016	Delegate	05/02/2016	Bruce Taxis Ltd
18	063	Private Hire Car Operator	Renewal	07/01/2016	Delegate	05/02/2016	Prentice, James Craig
19	060	Private Hire Car Operator	Renewal	14/01/2016	Delegate	12/02/2016	Adamson, James
20	086	Private Hire Car Operator	Renewal	14/01/2016	Delegate	12/02/2016	Falkirk Taxi Cabs Ltd
21	021	Private Hire Car Operator	Renewal	14/01/2016	Delegate	12/02/2016	Falkirk Taxi Cabs Ltd
22	077	Private Hire Car Operator	Renewal	26/01/2016	Delegate	26/02/2016	Flemings Taxis (Falkirk)
23	041	Private Hire Car Operator	Renewal	26/01/2016	Delegate	26/02/2016	Flemings (Taxis) Falkirk
24	042	Private Hire Car Operator	Renewal	26/01/2016	Delegate	26/02/2016	Flemings (Taxis) Falkirk
25	023	Private Hire Car Operator	Renewal	26/01/2016	Delegate	26/02/2016	Flemings (Taxis) Falkirk
26	052	Private Hire Car Operator	Renewal	26/01/2016	Delegate	26/02/2016	Flemings Taxis (Falkirk)
27	070	Private Hire Car Operator	Renewal	26/01/2016	Delegate	26/02/2016	Flemings Taxis (Falkirk)
28	081	Private Hire Car Operator	Renewal	26/01/2016	Delegate	26/02/2016	Flemings Taxis (Falkirk)
29	062	Private Hire Car Operator	Renewal	28/01/2016	Delegate	26/02/2016	Bruce Taxis Ltd
30	061	Private Hire Car Operator	Renewal	28/01/2016	Delegate	26/02/2016	Bruce Taxis Ltd
31	1555	Taxi Driver	New	11/12/2015	Delegate	18/02/2016	Harrison, Charles
32	2046	Taxi Driver	New	27/01/2016	Delegate	25/02/2016	Flynn, James Thomas
33	1205	Taxi Driver	Renewal	26/11/2015	Delegate	05/02/2016	Wallace, Robert
34	0508	Taxi Driver	Renewal	21/12/2015	Delegate	15/02/2016	Polson, Derek
35	0783	Taxi Driver	Renewal	23/12/2015	Delegate	12/02/2016	Lewis, Ian Raymond
36	1822	Taxi Driver	Renewal	05/01/2016	Delegate	02/02/2016	Marszol, Anthony Richard
37	0658	Taxi Driver	Renewal	05/01/2016	Delegate	05/02/2016	Malone, Margaret
38	1906	Taxi Driver	Renewal	05/01/2016	Delegate	05/02/2016	Thom, Christopher
39	0570	Taxi Driver	Renewal	05/01/2016	Delegate	05/02/2016	Cathro, Murray
40	0927	Taxi Driver	Renewal	05/01/2016	Delegate	05/02/2016	Watson, Robert David
41	1220	Taxi Driver	Renewal	05/01/2016	Delegate	05/02/2016	McCafferty, Kevin Matthew
42	1521	Taxi Driver	Renewal	05/01/2016	Delegate	05/02/2016	Martin, Richard
43	1581	Taxi Driver	Renewal	06/01/2016	Delegate	05/02/2016	Bruce, Emma Louise
44	0392	Taxi Driver	Renewal	06/01/2016	Delegate	05/02/2016	McAlpine, Ian
45	1294	Taxi Driver	Renewal	06/01/2016	Delegate	05/02/2016	Reynolds, William Alexander
46	0303	Taxi Driver	Renewal	13/01/2016	Delegate	12/02/2016	Dunn, Malcolm
47	1948	Taxi Driver	Renewal	13/01/2016	Delegate	12/02/2016	Dunsmore, Gary
48	0902	Taxi Driver	Renewal	14/01/2016	Delegate	12/02/2016	Stowe, Robert
49	1068	Taxi Driver	Renewal	14/01/2016	Delegate	12/02/2016	Buchanan, David
50	1431	Taxi Driver	Renewal	15/01/2016	Delegate	12/02/2016	Hardie, Graham
51	1706	Taxi Driver	Renewal	18/01/2016	Delegate	26/02/2016	Ewart, Michael Forde
52	1984	Taxi Driver	Renewal	18/01/2016	Delegate	26/02/2016	John, Saji
53	1052	Taxi Driver	Renewal	19/01/2016	Delegate	26/02/2016	Bourke, Patrick John
54	1534	Taxi Driver	Renewal	20/01/2016	Delegate	26/02/2016	Fenwick, Thomas Andrew
55	1062	Taxi Driver	Renewal	21/01/2016	Delegate	26/02/2016	Duff, Derek
56	1123	Taxi Driver	Renewal	22/01/2016	Delegate	26/02/2016	Campbell, David John
57	0295	Taxi Driver	Renewal	22/01/2016	Delegate	26/02/2016	Ferguson, Gordon McKenzie
58	1476	Taxi Driver	Renewal	22/01/2016	Delegate	26/02/2016	McMeechan, Louise

	Reference No.	Type	Type	Date Received	Status	Decision Date	Individual
59	0368	Taxi Driver	Renewal	25/01/2016	Delegate	26/02/2016	Cafferty, Kelvin McKenzie
60	0009	Taxi Driver	Renewal	25/01/2016	Delegate	26/02/2016	Djamshidy-Day, Daryoosh
61	1292	Taxi Driver	Renewal	25/01/2016	Delegate	26/02/2016	Kennedy, John Little
62	1525	Taxi Driver	Renewal	25/01/2016	Delegate	26/02/2016	Fullerton, Eamon
63	1590	Taxi Driver	Renewal	25/01/2016	Delegate	26/02/2016	White, James
64	0886	Taxi Driver	Renewal	25/01/2016	Delegate	26/02/2016	Faichney, David John
65	0297	Taxi Driver	Renewal	25/01/2016	Delegate	26/02/2016	Corrie, Brian
66	0243	Taxi Driver	Renewal	28/01/2016	Delegate	26/02/2016	Dalglish, Gordon Brownie
67	0063	Taxi Driver	Renewal	28/01/2016	Delegate	26/02/2016	Christie, James
68	0946	Taxi Driver	Renewal	29/01/2016	Delegate	26/02/2016	Dalglish, Allan Graham
69	1473	Taxi Driver	Renewal	29/01/2016	Delegate	26/02/2016	Orr, Ian Duncan
70	0761	Taxi Driver	Renewal	29/01/2016	Delegate	26/02/2016	Mill, George
71	1905	Taxi Driver	Renewal	29/01/2016	Delegate	26/02/2016	McCleary, Graeme
72	0988	Taxi Driver	Renewal	29/01/2016	Delegate	26/02/2016	Barker, Paul Michael
73	0953	Taxi Driver	Renewal	29/01/2016	Delegate	26/02/2016	Paterson, John
74	074	Taxi Operator	New	28/01/2016	Delegate	26/02/2016	Moore, David
75	028	Taxi Operator	Renewal	05/01/2015	Delegate	05/02/2016	Anderson, John Malcolm
76	303	Taxi Operator	Renewal	13/01/2015	Delegate	12/02/2016	Buchanan, David
77	273	Taxi Operator	Renewal	05/01/2016	Delegate	05/02/2016	McKee, Andrew
78	288	Taxi Operator	Renewal	05/01/2016	Delegate	05/02/2016	MacDonald, Hugh
79	269	Taxi Operator	Renewal	06/01/2016	Delegate	05/02/2016	McAlpine, Ian
80	391	Taxi Operator	Renewal	08/01/2016	Delegate	05/02/2016	McArthur, Derek
81	311	Taxi Operator	Renewal	11/01/2016	Delegate	12/02/2016	Craig, William
82	274	Taxi Operator	Renewal	13/01/2016	Delegate	12/02/2016	Dunn, Malcolm
83	261	Taxi Operator	Renewal	14/01/2016	Delegate	12/02/2016	Stowe, Robert
84	264	Taxi Operator	Renewal	14/01/2016	Delegate	12/02/2016	Chatburn, Roland Lindsay
85	303	Taxi Operator	Renewal	14/01/2016	Delegate	12/02/2016	Buchanan, David
86	197	Taxi Operator	Renewal	18/01/2016	Delegate	26/02/2016	Martin, Stuart Cowan Gillespie
87	432	Taxi Operator	Renewal	22/01/2016	Delegate	26/02/2016	Fourways Taxis
88	286	Taxi Operator	Renewal	22/01/2016	Delegate	26/02/2016	Ferguson, Gordon McKenzie
89	279	Taxi Operator	Renewal	25/01/2016	Delegate	26/02/2016	Cafferty, Kelvin McKenzie
90	343	Taxi Operator	Renewal	25/01/2016	Delegate	26/02/2016	Djamshidy-Day, Daryoosh
91	287	Taxi Operator	Renewal	25/01/2016	Delegate	26/02/2016	Faichney, David
92	290	Taxi Operator	Renewal	25/01/2016	Delegate	26/02/2016	Faichney, David
93	371	Taxi Operator	Renewal	25/01/2016	Delegate	26/02/2016	Faichney, David
94	319	Taxi Operator	Renewal	25/01/2016	Delegate	26/02/2016	Corrie, Brian
95	134	Taxi Operator	Renewal	25/01/2016	Delegate	26/02/2016	Waddell, Gordon
96	369	Taxi Operator	Renewal	26/01/2016	Delegate	26/02/2016	McGookin, Thomas Anthony
97	337	Taxi Operator	Renewal	26/01/2016	Delegate	26/02/2016	Flemings Taxis (Falkirk)
98	320	Taxi Operator	Renewal	27/01/2016	Delegate	26/02/2016	Fawcett, George Rankine
99	347	Taxi Operator	Renewal	28/01/2016	Delegate	26/02/2016	Bruce Taxis Ltd
100	345	Taxi Operator	Renewal	28/01/2016	Delegate	26/02/2016	Bruce Taxis Ltd
101	318	Taxi Operator	Renewal	28/01/2016	Delegate	26/02/2016	Christie, James
102	306	Taxi Operator	Renewal	28/01/2016	Delegate	26/02/2016	Dalglish, Gordon Brownie
103	308	Taxi Operator	Renewal	29/01/2016	Delegate	26/02/2016	Mill, George
104	301	Taxi Operator	Renewal	29/01/2016	Delegate	26/02/2016	Mackie, John
105	315	Taxi Operator	Renewal	29/01/2016	Delegate	26/02/2016	Barker, Paul Michael

## Civic Applications

## Appendix 2

	Licence No.	Type	Date	Name	Employee Name	Premises	Location	Activity Licensed for/Maximm No. of Tenants	Date of Decision	Type	Status
1	237	Late Hours Catering	05/10/2015	Malthurst Petroleum	Gajan Thamodaran	Carronside Service Station Carron Road Falkirk FK2 7SW		Service Station	04/02/2016	Renewal	Delegate
2	215	Late Hours Catering	10/12/2015	Malthurst Limited	Noel Sebastian Joseph	Malthurst Millfield Main Street Polmont Falkirk		Petrol Station with Convenience Store	23/02/2016	Renewal	Delegate
3	/0236	Public Charitable Collection	25/01/2016	British Heart Foundation	Arlene McKenna		Grangemouth		02/02/2016	Flag Day	Delegate
4	/0046	Public Charitable Collection	25/01/2016	The Scottish Society for Autism	Alison Hood		Town Centre, Falkirk		02/02/2016	Flag Day	Delegate
5	866	Public Charitable Collection	25/01/2016	Falkirk Friends of Strathcarron Hospice	Maureen Peebles		Town Centre, Falkirk		02/02/2016	Flag Day	Delegate
6	/0244	Public Charitable Collection	29/01/2016	Children's Hospice Association Scotland	Laura Campbell		Falkirk Wheel, Lime Road, Tamfourhill, Falkirk		03/02/2016	Flag Day	Delegate
7	2688	Public Charitable Collection	02/02/2016	Bo'ness Children's Fair Festival	Lynne Meikle		Bo'ness		03/02/2016	Flag Day	Delegate
8	/0245	Public Charitable Collection	24/02/2016	1333 (Grangemouth Spitfire) Squadron ATC	Jim McFarlane		Falkirk Football Stadium		26/02/2016	Flag Day	Delegate
9	/0243	Public Charitable Collection	25/01/2016	Camelon Mariners Gala Association	Heather Adam		Camelon Mariners Day Event		02/02/2016	Flag Day	Delegate
10	367	Second Hand Dealer	18/01/2015	A Braidwood & Son Ltd t/a Allparts Auto Salvage	Craig Snow	A Braidwood & Son Ltd t/a Allparts Auto Salvage 2 Hillview Road High Bonnybridge FK4 2ER		Car Parts	23/02/2016	Renewal	Delegate

## APPENDIX 3

Ref Number	Notification Date	Organisation	Proposed Date	Expected No of Marchers	Comments Deadline	Status	Route1
3	15-Feb-16	Grangemouth Children's Day	18-Jun-16	3000	04-Jun-16	Pending	1.30 pm Grangemouth - Moray School, Oxbang Road, Kersiebank Avenue, Overton Road, where Sacred Heart School will be waiting, continue down Overton Road, Kingseat Avenue Bridge where Beancross Primary School will be waiting to join at the rear of the Sacred Heart School.
4	18-Feb-16	Bo'ness Children's Fair Festival	24-Jun-16	2000	10-Jun-16	Pending	12 noon, Bo'ness - West end of Stewart Avenue and Braehead, Church Wynd, Seaview Place, North Street, Main Street, Grangepans, Cowdenhill Road, Philpingstone Road, Grange Loan, Harbour Road, Grahamsdyke Road, Dean Road finish at Douglas Park.
6	19-Feb-16	Loyal Orange Institution of Scotland Falkirk District 36	25-Jun-16	70	11-Jun-16	Pending	Commence at 8.45am Bainsford from Dawson Park, Abbotsford Street, Cobblebrae Crescent, Haugh Street, Langlees Street, Davids Loan, Seaforth Road, Davids Loan, Carronside Street, Dawson Park disperse.
7	19-Feb-16	Loyal Orange Institution of Scotland Falkirk District 36	25-Jun-16	70	11-Jun-16	Pending	Commence at 8.30am Carronshore from Burnside Terrace, Carronshore Road, Stenhouse Road, Carron Road, Farm Street, Abbotsford Road, Dawson Park and Disperse.
8	19-Feb-16	Loyal Orange Institution of Scotland Falkirk District 36	25-Jun-16	70	11-Jun-16	Pending	Commence at 3.45pm Carronshore from Gairdoch Park, North Main Street, Main Street, Carronshore Road, Webster Avenue, Quarrollhall Crescent, Carronhall Avenue, Gairdoch Drive, Quarrollhall Crescent, Webster Avenue, Carronshore Road and disperse at Burnside Park.

9	10-Feb-16	Loyal Orange Institution of Falkirk District 36	25-Jun-16	70	11-Jun-16	Pending	Commence at 8.15am Westquarter from Valley Park, Park Crescent, Langton Road, Alder Grove, Carhowden Road, Westquarter Avenue, Dovecot Road, Braeview, Woodburn Avenue, Main Street, Kirkwood Avenue, Wholequarter Avenue, Main Street, Redding Unity Club and disperse.
10	19-Feb-16	Loyal Orange Institution of Scotland Falkirk District 36	25-Jun-16	70	11-Jun-16	Pending	Commence at 3.45 pm Westquarter from Valley Park Crescent, langton Road, Alder Grove, Carhowden Road, Westquarter Avenue, Dovecot Road, Braeview, Woodburn Avenue, Main Street, Kirkwood Avenue, Wholequarter Avenue, Main Street, Redding Road and disperse at Unity Club.
11	19-Feb-16	Loyal Orange Institution of Scotland Falkirk District 36	25-Jun-16	60	11-Jun-16	Pending	Commence at 8.45am Falkirk from Westfield Park, Abbotsford Street, Woodburn Road, Thornhill Road and disperse at Community Centre.
12	19-Feb-16	Loyal Orange Institution of Scotland Falkirk District 36	25-Jun-16	120	11-Jun-16	Pending	Commence at 3.30pm Falkirk from Callendar Park, passing the Golf course onto Estate Avenue, onto Bellsmeadow Road, onto Ladysmill, onto Thornbridge Road, onto Alexander Avenue, onto Woodburn Road, onto Grangemouth Road and Disperse at Pennies Lounge.
13	19-Feb-16	Loyal Orange Institution of Scotland Falkirk District 36	25-Jun-16	70	11-Jun-16	Pending	Commence at 8.30am Stenhousemuir from Dobbie Hall, McLauchlan Street, Lamond View, Muirfield Road, Main Street, Kirk Land, King Street, Dobbie hall and Disperse
14	19-Feb-16	Loyal Orange Institution of Scotland Falkirk District 36	25-Jun-16	70	11-Jun-16	Pending	Commence at 3.45pm Stenhousemuir from Park Drive, James Street, Carron View, Lamond View, Muirfield Road, Main Street, Kirk Drive, King Street, Main Street, Park Drive and Disperse.
15	19-Feb-16	Loyal Orange Institution of Scotland Falkirk District 36	25-Jun-16	100	11-Jun-16	Pending	Commence at 8.30am Camelon from Burnside Terrace, Union Road, Carmuir Avenue, Fairlie Drive, Antonine Street, Wilson Avenue, Fairlie Street, Mariner Street, Mossgiel Drive, disperse.

16	19-Feb-16	Loyal Orange Institution of Scotland Falkirk District 36	25-Jun-16	100	11-Jun-16	Pending	Commence at 3.45pm Camelon from Ochiltree Terrace, Kenmuir Street, Glencairn Street, Ochiltree Terrace, Clarinda Avenue, Mariner Avenue, Mariner Road, Carmuirs Avenue, Wilson Avenue, Fairlie Street, Fairlie Drive, Carmuirs Street, Wall Street, Watling Drive, ,Brown Street, Mansionhouse Road, Carmuirs Avenue, Union Road, Burnside Terrace and disperse.
17	17-Mar-16	Denny True Blues LOL 257	14-May-16	300	30-Apr-16	Pending	Commence at 4pm Denny from Top Gala Park, Chestnut Crescent, Avon Street, Northfield Road, Barnego Road, Stirling Street, Glasgow Road, Nethermains Road, Duke Street, Stirling Street, Bottom of Gala Park and Disperse.
18	18-Mar-16	Camelon War Memorial Committee	23-Apr-16	300	09-Apr-16		Commence at 12.45pm Camelon from Port Downie across Lock 16, turn right onto Union Road, travel down Union Road to its junction with Main Street, cross Main Street, turn right along Main Street to the junction of Dorrator Road, turn left onto Dorrator Road to its junction, with Nailer Road, turn onto Nailer Road to Labour Club and disperse.
5	31-Mar-16	Loyal Orange Institution of Scotland Falkirk District 36	25-Jun-16	450	11-Jun-16	Pending	Commence at 9.30am Bainsford/Falkirk from Dawson Park, Carronside Street, Bainsford Main Street, Grahams Road, Dalderse Avenue, Etna Road, Middlefield Road and disperse.
76	28-Sep-15	Camelon Mariners Gala Day Association	11-Jun-16	150	28-May-16	Pending	Commence at 11.45am from Lock 16 Camelon, onto Carmuirs Avenue, onto Wilson Road, onto Glasgow Road, onto Main Street, onto Dorrator Road, onto Nailer Road and conclude at Stirling Road.



35	4-March-16	Loyal Orange Institution of Scotland Falkirk District 36	25-Jun-16	4500	11-Jun-16	Pending	Commence at 1.15pm from Callendar Park, passing the Golf course onto Eastburn Drive, onto Corporation Street, onto East Bridge Street, onto High Street, onto Kirk Wynd, onto Vicar Street, onto Grahams Road, onto Dalderse Avenue, onto Thornhill Road, onto Ladysmill, onto Bellsmeadow Road, onto Estate Avenue, onto Seaton Place into Callendar Park and conclude.
20	4-April-16	Sir William Wallace Grand Lodge of Scotland Free Colliers	6-Aug-16	120	23-Jul-16	Pending	Commence at 12 Noon from Reddingmuirhead, Old Pitt Road, onto Livingstone Terrace, onto Redding Cross, lay wreath at Memorial, leave Redding Main Street, onto Quoit bar (15 minute stop), leave Redding Main Street, onto School Road, onto Redding Road, onto Laurieston, onto Polmont Road, onto Westquarter Avenue, onto Dovecote Road, onto Woodburn Avenue, onto Redding Main Street, arrive at the Unity Club ( 1 hour meal stop), leave Redding Main Street, onto onto Maddiston Road, arrive at Masonic Hall (30 minute stop), onto Waggon Road, onto Wallacestone Brae, onto Standrigg Road, arrive Wallacestone, leave Standrigg Road, onto Wallacestone Brae, into Reddingmuirhead and conclude at the Reddingmuirhead Institute.
19	1-Apr-16	Redding & Westquarter Apprentice Boys of Derry	30-Apr-16	300	16-Apr-16	Pending	Commence at 7pm from Westquarter primary school, onto Westquarter Avenue, onto Redding Road, onto Woodburn Avenue, onto Main Street, onto Kirkwood Avenue, onto Knowhead Road, onto Wholequarter Avenue, onto School Road, onto Redding Road and conclude at the Unity Club.

25	10-Mar-16	Loyal Orange Institution District 62	25-Jun-16	225	11-Jun-16	Pending	Bo'ness - Depart at 9am from Crawfield Lane, onto Linlithgow Road, onto Church Wynd, onto Stewart Avenue (lay wreath at War Memorial), return to Church Wynd, onto Seaview Place, onto North Street, onto Main Street, onto Links Road, onto Grangepans, onto Cowdenhill Road and conclude at Cowdenhill Community Centre.
26	10-Marc-16	Loyal Orange Institution District 62	25-Jun-16	200	11-Jun-16	Pending	Bo'ness - Depart at 5.30pm from Crawfield Lane, onto Linlithgow Road, onto Church Wynd, onto Seaview Place, onto North Street, onto Main Street, onto Links Road, onto Grangepans, onto Cowdenhill Road and conclude at Cowdenhill Community Centre.
29	22-Feb-16	Camelon War Memorial Committee	23-Apr-16	300	9-Apr-16	Pending	Commence at 11.15am Camelon from the Labour Club on Nailer Road onto Stirling Road, onto Main Street, onto the junction of Union Road, travel up Union Road to Lock 16 and conclude at the Union Inn.
30	25-2-16	Falkirk District Arts & Civic Council	14-May-16	200	30-Apr-16	Pending	Commence from Falkirk Town Hall car park at 2pm, proceed onto West Bridge street, onto the High Street, proceed down to the band stand and head back up the High Street, onto West Bridge street before concluding at the Falkirk Town hall car park.
31	24-Feb-16	Apprentice Boys of Derry Grangemouth Branch	28-May-16	80	14-May-16	Pending	Bo'ness: Commence at 8.45am from South Philpington Lane, onto Philpington Road, onto Grange Terrace, onto Stewart Avenue and conclude at the Cenotaph.
32	24-Feb-16	Apprentice Boys of Derry Grangemouth Branch	28-May-16	80	14-May-16	Pending	Grangemouth: Commence at 09.45am from Newlands Community Centre, onto Newlands Road, onto Abbots Road, onto Dalratho Road and conclude at the cenotaph.

33	24-Feb-16	Apprentice Boys of Derry Grangemouth Branch	28-May-16	80	14-May-16	Pending	Grangemouth: Commence at 4pm from Rannoch Road bus terminus, onto Bowhouse Road, onto Tinto Drive, onto Kersiebank Avenue, onto Oxcgang Road and conclude at the Oxcgang Hotel.
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**FALKIRK COUNCIL**

**Subject: CIVIC LICENSING ENFORCEMENT – FEBRUARY 2016**  
**Meeting: CIVIC LICENSING COMMITTEE**  
**Date: 20 April 2016**  
**Author: CHIEF GOVERNANCE OFFICER**

**1. INTRODUCTION**

- 1.1 The Licensing Enforcement Officer undertook various aspects of enforcement in February 2016. Details of these are outlined in the following sections of the report.

**2. TAXI/ PRIVATE HIRE CAR CHECKS**

- 2.1 The Licensing Enforcement Officer routinely carries out spot checks of taxis and private hire car vehicles to ensure compliance with licence conditions.

- 2.2 The checks take place at various taxi ranks and other places within the district. The checks consist of a range of items including the following:-

- Id badge/ Taxi-Private Hire Licence
- DVLA driving licence
- Plates displayed
- Tariff Sheet
- Fire Extinguisher
- First Aid Kit
- Taximeter seal
- No commercial adverts displayed on the vehicle
- No smoking signs displayed
- Taxi roof sign
- Condition of vehicle
- Wheelchair vehicle ramps

- 2.3 In February 2016, 32 taxis were inspected by the Licensing Enforcement Officer. The majority of these checks were found to be in order with the exception of the following matters:-

Taxi Operator 046 – was found not to be carrying a tariff sheet.  
This is a breach of taxi licence condition number 21.

Taxi Operator 117 – the meter was found to be running 6 minutes fast.  
This is a breach of taxi licence condition number 32.

Taxi Operator 135 – the operator name sticker was not being displayed on the vehicle.  
This is a breach of taxi licence condition number 13.

Taxi Driver 1046 – the driver was not carrying his taxi driver licence.  
This is a breach of taxi driver licence condition number 2.

The operators and driver were written to and requested to attend the licensing offices and provide evidence that the matters detailed have been attended to. They have now fully complied.

### **3. CIVIC LICENSING ENFORCEMENT CHECKS**

3.1 During February 2016, the Licensing Enforcement Officer undertook 18 civic licensing compliance checks and enquiries.

3.2 The compliance checks/enquiries involved the following civic activities:-

- Second Hand Dealers – five routine checks of licensed premises were carried out to ensure that the licence holder details were correct, that the licence was being properly displayed and that the register of sales was being kept up to date. All were found to be in order. One enquiry was also carried out and an application form issued to a used car dealer.
- Late Hours Catering – five routine checks of licensed premises were carried out which established that there had been a change of day to day manager for one of the premises and a variation form for a licence was subsequently issued. The other checks were all found to be in order. One enquiry also carried out with premises which established that they were now closing at 11pm and did not therefore require to be licensed.
- Street Trader – one routine check of a licensed street trader (ice cream van) was carried out to ensure that the licence holder details were correct. All was found to be in order.
- Window Cleaner – one check of a window cleaner carried out which established that he did not hold a licence to operate in this Council area. An application form was issued.
- Skin Piercing – one routine check of licensed premises was carried out to ensure that the licence holder details were correct and that the licence and notices were being properly displayed. All was found to be in order.
- Booking Office – one check carried out to ensure licence holder details were correct, that the licence was being properly displayed and that the booking register was being kept up to date. All was found to be in order.
- Public Entertainment – one enquiry carried out and an application form issued to premises operating as a laser zone.
- Knife Dealer – one routine check of licensed premises carried out to ensure that the licence holder details were correct, that the licence and appropriate notices were being displayed and that the register of sales was being kept up to date. The premises were found to be fully compliant.

3.3 These checks consist of a range of items including the following:-

- Licence type
- Licence holder details
- Day to day manager details (if applicable)
- Id badge/ Licence
- Register check (if applicable)
- Vehicle details (if applicable)
- Occupants details

3.4 In addition to the above, the Licensing Enforcement Officer carried out six knowledge tests involving eight candidates, two of whom required their answers to be written down for them. 5 site notice checks were also carried out.

#### **4. CIVIC LICENSING COMPLAINTS**

A complaint was received from a male motorist regarding a private hire car driver who had been on a slip road entering the M9 motorway from the Lathallan roundabout when it is alleged that the private hire car driver pulled across without any warning, causing him to almost drive onto the verge. The private hire car driver was subsequently traced and interviewed and confirmed that he had been the driver on the date in question, but that he had no recollection of any such incident. However, he accepted that his vehicle details had been provided and wished his apologies to be passed on to the complainer.

A complaint was received from a female motorist who claimed that as she had turned into Walker Drive, Dennyloanhead, from the main road she had been made to stop at a road calming measure due to an oncoming taxi being driven fast and failing to give way to her as she had the right of way. She also alleged that as the taxi driver was going past her he had sworn at her. The taxi driver was subsequently traced and interviewed and stated that there was no way he had been driving fast due to the nature of the road and that he had almost been through the road calming measure when the complainer had turned in from the main road. He was also adamant that he had not sworn at her.

A complaint was received from a male person about a taxi driver who had parked near to a pedestrian crossing area close to the entrance to supermarket premises in Camelon. The taxi driver was traced and interviewed and claimed that he had only parked in this manner as he had purchased some heavy wooden items from the shop. He accepted that he should not have parked as close to the pedestrian crossing area and stated that he would not park in such a manner again.

The complainants were advised of the outcome of their complaints and were satisfied with the course of action undertaken.

**5. RECOMMENDATION**

**5.1** It is recommended that Members note the contents of this report.

.....  
Chief Governance Officer  
Date: 12 April 2016

Contact Officer: Bryan Douglas, Licensing Co-ordinator (telephone 501262)

**LIST OF BACKGROUND PAPERS**

None



**FALKIRK COUNCIL**

**Subject: KNOWLEDGE TEST FAILURE**  
**Meeting: CIVIC LICENSING COMMITTEE**  
**Date: 20 APRIL 2016**  
**Author: CHIEF GOVERNANCE OFFICER**

**1. APPLICATIONS FOR THE GRANT OF A NEW TAXI DRIVER LICENCE**

- 1.1 Ms Kerry Paris submitted an application for a new taxi driver on 4 December 2015. Her application must be considered before 3 June 2016. The applicant sat the knowledge test on 7 January 2016 and attained 34%. She sat the test on 21 January and attained 68%. The applicant was invited to sit the test on 4 February and attained 73%. The applicant was afforded a fourth opportunity by officers to sit and pass the knowledge test on 18 February, however she attained 72%
- 1.2 It is the view of officers that the applicant has little prospect of passing the knowledge test and would recommend that the Committee consider refusing the application on the basis that the applicant has not sat and passed the knowledge test.
- 1.3 Mr Russell McCallum submitted an application for a new taxi driver licence on 14 December 2015. His application must be considered before 14 June 2016. The applicant was invited to attend for the test on 7 January 2016 and failed to attend and did not advise that he was unavailable. The applicant was invited to sit the test on 21 January 2016 and attained 16%. Further tests were arranged for 4 and 18 February and the applicant failed to attend and did not advise that he was unavailable.
- 1.4 It is the view of officers that the applicant has little prospect of passing the knowledge test and would recommend that the Committee consider refusing the application on the basis that the applicant has not sat and passed the knowledge test.
- 1.5 The applicants have not been invited to sit a medical as yet.
- 1.6 Ms Paris and Mr McCallum were both notified of their failures and opportunities to attend and that the matter will be considered by the Committee. The letter explained that they could submit a letter in support of their applications which would form part of the report. No letters have been received.

## 2. RECOMMENDATION

It is recommended that Members consider the terms of the report.

The options available to the Members are:-

### 2.1

- (a) to refuse to grant the TAXI DRIVER licences in terms of the Civic Government (Scotland) Act 1982, Section 13 (5) on the grounds that the applicants, having failed to pass the knowledge test, have failed to satisfy the Authority that they had adequate knowledge of the area to which the licence relates and the layout of roads in the area; or
- (b) if Members are satisfied that there are other relevant circumstances that warrant a departure from policy, to instruct officers to arrange for the applicants to undertake a medical; and should they fail the medical to remit the matter back to Committee for consideration; should the applicant pass the medical, to authorise the Chief Governance Officer to grant the TAXI DRIVER licences.

.....  
Chief Governance Officer  
Date: 12 April 2016

Contact Officer: Bryan Douglas, Licensing Co-ordinator (telephone 501262)

### LIST OF BACKGROUND PAPERS

None