

DRAFT**FALKIRK COUNCIL**

MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 9 APRIL 2008 at 9.30 AM.

PRESENT: Provost Reid; Councillors Blackwood, Hughes, Kenna, McLuckie, McNally, Nicol, Nimmo, Thomson and Waddell.

CONVENER: Councillor Nicol

ATTENDING: Acting Director of Law and Administration Services; Consumer Protection Manager; Solicitor (P Gilmour); Licensing Co-ordinator (B Douglas); Senior Licensing Assistant (I Renton) and Committee Services Officer (A Rose).

DECLARATION OF INTEREST:

Councillor Blackwood declared a non-financial interest in agenda item 6 due to the fact that the applicant was known to him. Councillor Blackwood left the meeting during consideration of this item of business.

CL1. MINUTE

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Civic Licensing Committee held on 12 March 2008.

CL2. 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.

CL3. APPLICATION FOR RENEWAL OF A HOUSE IN MULTIPLE OCCUPATION LICENCE

The applicant, Dr A, entered the meeting at this point.

There was submitted Report (circulated) dated 2 April 2008 by the Director of Development Services on an application for the renewal of a house in multiple occupation licence advising of (a) background to the application; (b) premises to be licensed; (c) conditions of the licence; (d) consultations undertaken; and (e) objections and representations received.

The Consumer Protection Manager also informed Members that since the report by officers had been written the neighbour who had submitted a letter of objection had verbally informed officers he no longer wished to pursue it. However, no written notice of withdrawal had yet been received by officers.

The applicant spoke in support of his application.

Questions were then asked of the applicant by Members.

Following a short recess, **AGREED** that consideration of this application be **CONTINUED** to a future meeting to allow production to Committee of a satisfactory Fire Risk Assessment of the premises to be licensed.

CL4. APPLICATION FOR A NEW HOUSE IN MULTIPLE OCCUPATION LICENCE

Mr E, a representative of the applicant entered the meeting at this point.

There was submitted Report (circulated) dated 2 April 2008 by the Director of Development Services on an application for a new house in multiple occupation licence advising of (a) background to the application; (b) premises to be licensed; (c) conditions of the licence; and (d) consultations undertaken.

The Consumer Protection Manager also advised Members that officers had visited the premises the previous day and a Model Tenancy Agreement (in Lithuanian for the benefit of the tenants) had now been received. In addition, all other outstanding documentation had been received since the officer's report had been written.

The applicant's representative spoke in support of the application.

Questions were then asked of the applicant's representative by Members.

Following a short recess **AGREED** to **GRANT** the licence.

CL5. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

The applicant, Mr L, entered the meeting at this point.

There was submitted Report (circulated) dated 2 April 2008 by the Director of Development Services on an application for the renewal of a taxi driver licence advising of (a) consultation undertaken, and (b) the applicant's record.

The Consumer Protection Manager spoke in amplification of the report and, in particular, with regard to the circumstances of the offence referred to in paragraph 3.2.

The applicant spoke in support of his application.

Questions were then asked of the applicant by Members.

Following a short recess **AGREED** to **GRANT** the renewal of the licence with the standard conditions for the period of one year.

CL6. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

The applicant, Mr S, entered the meeting at this point.

There was submitted Report (circulated) dated 2 April 2008 by the Director of Development Services on an application for the renewal of a taxi driver licence advising of (a) consultations undertaken, and (b) the applicant's record.

The applicant spoke in support of his application.

Questions were asked of the applicant by Members.

AGREED to **GRANT** renewal of the licence for the period of one year but also to issue a warning letter regarding the applicant's future conduct and in particular highlighting the importance of adhering to speed limits.

CL7. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

The applicant, Mr R, entered the meeting at this point.

There was submitted Report (circulated) dated 2 April 2008 by the Director of Development Services on an application for the renewal of a taxi driver licence advising of (a) consultations undertaken, and (b) the applicant's record.

The applicant spoke in support of his application.

Questions were asked of the applicant by Members.

AGREED to **GRANT** renewal of the licence with the standard conditions A - B but also to issue a warning letter, regarding the applicant's future conduct with particular reference to the circumstances of the applicant's previous convictions and conditional offers for the period of one year.

CL8. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

The applicant, Mr S, entered the meeting at this point.

There was submitted Report (circulated) dated 2 April 2008 by the Director of Development Services on an application for the renewal of a taxi driver licence advising of (a) consultations undertaken, and (b) the applicant's record.

The applicant spoke in support of his application.

Questions were asked of the applicant by Members.

Following a short recess **AGREED** to **GRANT** renewal of the licence for a period of 6 months with the standard conditions but to issue a warning letter regarding the applicant's future conduct and specifically requiring him to have due and proper regard to all road traffic regulations. If, after the 6 month period, there have been no further infringements by the applicant then the Director of Development Services will consider any succeeding application to renew in accordance with the Scheme of Delegation, otherwise the application is to be referred to Committee.