

FALKIRK COUNCIL

MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 22 OCTOBER 2008 at 9.30 AM.

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

CONVENER: Councillor Nicol

APOLOGY: Councillors Nimmo and McNally.

ATTENDING: Director of Development Services; Acting Director of Law and Administration; Licensing Co-ordinator (B Douglas); Democratic Services Manager and Committee Services Officer (A Sobieraj).

CL37. MINUTE

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Civic Licensing Committee held on 10 September 2008.

CL38. 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.

CL39. ORDER OF BUSINESS

Following a request from Mr Sandeman, the Convener agreed on this occasion to 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.

CL40. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

The applicant, Mr T, entered the meeting together with his representative, Mr Sandeman.

There was submitted Report (circulated) dated 16 October 2008 by the Director of Development Services on an application for the renewal of a taxi driver licence advising of (a) the background to the application; (b) consultations undertaken and responses received; and (c) the applicant's record.

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

Questions were then asked by Members of the Committee.

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

CL41. APPLICATION FOR THE GRANT OF A NEW TAXI OPERATOR LICENCE

The applicant, Ms W, entered the meeting together with her representative, Mr Sandeman.

There was submitted Report (circulated) dated 16 October 2008 by the Director of Development Services on an application for the grant of a new taxi operator licence advising of (a) the background to the application; (b) consultations undertaken; (c) the applicant's record; and (d) the vehicle proposed to be operated.

The applicant's representative spoke in support of the application. In addition, a copy of a letter of reference from the applicant's employer was, with the approval of Committee, circulated.

Questions were then asked by Members of the Committee.

AGREED to **GRANT** the new licence subject to the standard conditions.

CL42. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr J, entered the meeting.

Chief Inspector Hutchison and Constable Kane, of Central Scotland Police, entered the meeting.

There was submitted Report (circulated) dated 16 October 2008 by the Director of Development Services on an application for the grant of a new taxi driver licence advising of (a) the background to the application; (b) consultations undertaken and responses received; and (c) the applicant's record.

Chief Inspector Hutchison responded to a request by the Convener to explain why the Force's comments had been received by Falkirk Council outwith the statutory 21 days allowed.

The Committee **AGREED** to allow the Police representation to be admitted in evidence as it was satisfied with the sufficiency of the reasons provided. A copy of the letter of objection from the Police was then circulated to the Committee.

Chief Inspector Hutchison spoke in amplification of his letter.

The applicant spoke in support of his application.

Questions were then asked by Members of the Committee.

AGREED to **REFUSE** to grant the application on the basis that the applicant was not a fit and proper person to be the holder of a taxi driver licence in terms of paragraph 5(3)(a)(ii) of Schedule 1 of the Civic Government (Scotland) Act 1982.

CL43. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr McL, entered the meeting.

Chief Inspector Hutchison and Constable Kane, of Central Scotland Police, entered the meeting.

There was submitted Report (circulated) dated 16 October 2008 by the Director of Development Services on an application for the grant of a new taxi driver licence advising of (a) the background to the application; (b) consultations undertaken and responses received; and (c) the applicant's record.

Chief Inspector Hutchison spoke in amplification of the Force's letter of objection. A copy of the letter of objection was circulated to the Committee.

The applicant spoke in support of his application.

Questions were then asked by Members of the Committee.

AGREED to **REFUSE** to grant the application on the basis that the applicant was not a fit and proper person to be the holder of a taxi driver licence in terms of paragraph 5(3)(a)(ii) of Schedule 1 of the Civic Government (Scotland) Act 1982.

CL44. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

The applicant, Mr C, entered the meeting.

There was submitted Report (circulated) dated 16 October 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 then asked of the applicant by Members.

AGREED to **GRANT** the renewal of the licence for a period of six months subject to the standard conditions, together with a warning letter.

CL45. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

There was submitted Report (circulated) dated 16 October 2008 by the Director of Development Services on an application for the grant of a new taxi operator licence advising of (a) the background to the application; (b) consultations undertaken; (c) the applicant's record; and (d) the vehicle proposed to be operated.

The applicant was not in attendance.

Questions were then asked by Members of the Committee.

AGREED to **REFUSE** the licence on the grounds that the applicant was not a fit and proper person to be the holder of a taxi driver licence in terms of paragraph 5(3)(a)(ii) of Schedule 1 of the Civic Government (Scotland) Act 1982.

CL46. APPLICATION FOR THE GRANT OF A LATE HOURS CATERING LICENCE

The applicant, Mr A, entered the meeting.

There was submitted (circulated) Report by the Director of Development Services dated 16 October 2008 detailing (a) an introduction to the application; and (b) consultations undertaken and the responses received.

The applicant spoke in support of his application.

Questions were then asked by Members of the Committee.

AGREED to **GRANT** the licence to the terminal hour of 1.00 a.m. on Friday and Saturday subject to the standard conditions.