

FALKIRK COUNCIL

MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 11 MARCH 2009 at 9.30 A.M.

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

CONVENER: Councillor Nicol.

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

DECLARATION OF INTEREST: None

CL78. MINUTE

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Civic Licensing Committee held on 12 February 2009.

CL79. 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.

Councillor Waddell not having been present at the previous meeting when the following application was initially considered left the meeting before the item of business was heard.

CL80. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

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

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

There was submitted Report (circulated) dated 3 March 2009 by Director of Development Services on an application for the grant of a new taxi driver licence advising of the background to the application and attaching, as an appendix, a copy of the previous Report on the same application which was considered by Committee on 12 February 2009 (paragraph CL73 of the minute of meeting refers).

The applicant's representative, Mr Sandeman, advised the Committee that he had requested from the Sheriff Clerk at Perth Sheriff Court, clarification of the applicant's conviction dated 30 October 1995 but had not yet received it. Chief Inspector Hutchison

advised that Central Scotland Police had received further information on the conviction from Tayside Police but it was incomplete and an attempt to obtain an extract conviction had been thus far unsuccessful.

Questions were then asked by Members of the Committee.

In order to have time to establish the accurate position with regard to the conviction dated 30 October 1995, the Committee **AGREED** to make summary application to the Sheriff under S. 3(2) of the Civic Government (Scotland) Act 1982 to extend the period for reaching a final decision on this application and, in the meantime, to continue consideration of this item to a future meeting. In the event that the Sheriff does not agree to an extension, the matter will require to be brought back to Committee not later than 24 March 2009.

NOTED that the applicant would not object to the summary application.

Councillor Waddell re-joined the meeting on conclusion of the foregoing item of business.

Councillor Hughes entered the meeting on conclusion of the foregoing item of business.

CL81. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr McI, entered the meeting.

There was submitted Report (circulated) dated 3 March 2009 by Director of Development Services on an application for the grant of a new taxi driver licence advising of the background to the application.

The applicant, Mr McI, spoke in support of his application.

Questions were then asked by Members of the Committee.

AGREED:-

- (1) that the applicant be given a final opportunity to take and pass the knowledge test and, thereafter, to provide evidence of having passed the Council's medical test requirements; and
- (2) that in the event of the applicant failing on either count, authority be delegated to the Director of Development Services to refuse the application without further reference to Committee.

CL82. APPLICATION FOR THE RENEWAL OF A TAXI DRIVER LICENCE

The applicant, Mr S, entered the meeting.

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

There was submitted Report (circulated) dated 3 March 2009 by 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, Mr S, spoke in support of his application.

Chief Inspector Hutchison spoke in amplification of the Police objection, a copy of which was circulated to the Committee. Copies of three letters of support in relation to the application were also circulated.

Questions were then asked by Members of the Committee.

AGREED to **CONTINUE** consideration of this item to a future meeting to seek information from a specialist practitioner relating to the applicant's health and his fitness to be granted a taxi driver licence.

CL83. APPLICATION FOR THE GRANT OF 3 ADDITIONAL PRIVATE HIRE CAR OPERATOR LICENCES

A representative of the applicant company, Mr B, entered the meeting.

There was submitted Report (circulated) dated 3 March 2009 by the Director of Development Services on an application for the grant of 3 additional private hire car operator licences advising of (a) the background to the application; (b) consultations undertaken and responses received; (c) the records of the applicant directors; and (d) the proposed vehicles to be operated.

Mr B spoke in support of the application.

Questions were then asked by Members of the Committee.

AGREED to **GRANT** the licences subject to the standard conditions.

CL84. APPLICATION FOR THE GRANT OF 3 ADDITIONAL PRIVATE HIRE CAR OPERATOR LICENCES

Representatives of the applicant company, Mr B and Ms B, entered the meeting.

There was submitted Report (circulated) dated 3 March 2009 by the Director of Development Services on an application for the grant of 3 additional private hire car operator licences advising of (a) the background to the application; (b) consultations undertaken and responses received; (c) the records of the applicant directors; and (d) the proposed vehicles to be operated.

Mr B and Ms B spoke in support of the application.

Questions were then asked by Members of the Committee.

AGREED to **GRANT** the licences subject to the standard conditions.

