

**DRAFT****FALKIRK COUNCIL**

**MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 14 FEBRUARY 2007 at 9.30 AM.**

**PRESENT:** Depute Provost Wilson; Councillors Kenna, Miller, McCafferty, McNally, Nicol, Pollock, Reid and Williamson

**CONVENER:** Councillor Nicol

**APOLOGY:** Councillor Spears

**ATTENDING:** Acting Director of Law and Administration Services; Consumer Protection Manager; Environmental Health Officer (D Oliver, Item CL78 only); Solicitor (P Gilmour); Senior Licensing Assistant (I Renton) and Committee Services Officer (B Douglas).

**CL73. MINUTE**

There was submitted (circulated) and **APPROVED** Minute of Meeting of the Civic Licensing Committee held on 24 January 2007.

Depute Provost Wilson and Councillor Reid entered the meeting following consideration of the foregoing item of business.

**CL74. 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.

**CL75. APPLICATION FOR THE GRANT OF 2 ADDITIONAL NEW PRIVATE HIRE CAR OPERATOR LICENCES**

Mr B and his daughter, Ms LB both Directors of the Company and applicant entered the meeting at this point.

There was submitted Report (circulated) dated 8 February 2007 by the Director of Development Services on an application for two additional new private hire car operator licences advising on the background to the application.

Mr B was heard in support of his company's application.

Questions were then asked of Mr B by Members.

**AGREED** that the application for two additional new private hire car operator licences be **GRANTED**.

Mr B and his daughter Ms LB, left the meeting at this point.

#### **CL76. APPLICATION FOR THE GRANT OF AN ADDITIONAL NEW PRIVATE HIRE CAR OPERATOR LICENCE**

There was submitted Report (circulated) dated 8 February 2007 by the Director of Development Services on an application for an additional new private hire car operator licence advising (a) on the background to the application; and (b) that the applicant had a spent conviction, spent conditional offers and an unspent conditional offer recorded against him.

The Consumer Protection Manager advised that the applicant had submitted a letter explaining that he would be unable to attend the meeting as he was on holiday. Furthermore, the applicant had stated that he was content for the Committee to consider his application in his absence. The applicant also submitted a written representation in support of his application.

**AGREED** that consideration of the matter be continued to the next meeting of the Committee to afford the applicant an opportunity to attend and respond to questions that may be posed by Members.

#### **CL77. APPLICATION FOR THE GRANT OF A NEW STREET TRADER LICENCE**

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

There was submitted Report (circulated) dated 8 February 2007 by the Director of Development Services on an application for a new street trader licence advising (a) on the background to the application; and (b) that the applicant had spent and unspent convictions recorded against him.

The Committee considered whether they should look at details of the applicant's spent convictions and **AGREED** on the basis that justice could not be done in the case except by requiring evidence relating to these spent convictions to be presented to the Committee.

Details of the spent convictions were then tabled.

The applicant was heard in support of his application and on the circumstances of the spent and unspent convictions.

Questions were then asked of the applicant by Members.

**AGREED** that a short adjournment take place to enable the Committee to hear advice from the Acting Director of Law and Administration Services.

The applicant left and was then recalled to the meeting.

**AGREED:-**

- (i) that the application for a new street trader licence be **GRANTED** for a period of 1 year; and
- (ii) that the applicant be issued with a warning letter advising him of standards expected of a Falkirk street trader.

The applicant left the meeting at this point.

#### **CL78. APPLICATION FOR NEW LATE HOURS CATERING LICENCE**

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

There was submitted Report (circulated) dated 8 February 2007 by the Director of Development Services on an application for a new late hours catering licence advising (a) on the background to the application; and (b) on observations received from the Council's Food Safety Unit within Environment Health.

Mr Oliver, Environment Health Officer, entered the meeting at this point.

The applicant was heard in support of his application and on the circumstances surrounding the observations proffered by Environmental Health.

Mr Oliver was heard in amplification of the observation submitted by Environmental Health.

Questions were asked of both the applicant and Mr Oliver by Members.

**AGREED** that a short adjournment take place to enable the Committee to hear advice from the Acting Director of Law and Administration Services.

The applicant and Mr Oliver left and were then recalled to the meeting.

Councillor Miller left the meeting during the short adjournment.

**AGREED** that consideration of the matter be continued to the next meeting of the Committee to enable information regarding the locality and social conditions to be brought forward.

A motion by Councillor McCafferty to grant the licence for a trial period of one year failed to find a seconder.