

FALKIRK COUNCIL

MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 11 AUGUST 2010 at 9.30 A.M.

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

CONVENER: Councillor Nicol.

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

DECLARATIONS None
OF INTEREST:

CL25. MINUTE

There was submitted and **APPROVED** Minute of Meeting of the Civic Licensing Committee held on 2 June 2010.

CL26. 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.

CL27. SUSPENSION HEARING IN RELATION TO TAXI DRIVER LICENCE NO. 1144 AND TAXI OPERATOR LICENCE NO. 069

The licenceholder, Mr MacD, together with his representative, Ms Hamilton, and Chief Inspector G Taylor and Sergeant B Daye, Central Scotland Police, all entered the meeting.

There was submitted Report (circulated) dated 2 August 2010 by the Acting Director of Law and Administration Services advising of (a) a letter of complaint submitted by Central Scotland Police in respect of the licenceholder requesting an immediate suspension of the taxi driver and taxi operator licences; and (b) a decision taken by the Director of Development Services not to suspend the licences immediately but to submit the complaint to this Committee for consideration.

Following a request from Ms Hamilton that the Hearing be continued to a future meeting in light of pending criminal proceedings, the Committee took a short adjournment to consider the request.

The licenceholder, Mr MacD, his representative, Ms Hamilton, Chief Inspector Taylor and Sergeant Daye left and were then recalled to the meeting.

AGREED that, in order to take a decision in relation to the request from the licenceholder's representative, the Committee should have sight of the letter of complaint from Central Scotland Police.

Following confirmation that the licenceholder had no objection, the letter of complaint was circulated.

Questions were then asked by Members of the Committee on procedural matters.

Following a further short adjournment, the Committee **AGREED** to **CONTINUE** consideration of the matter to a future meeting.

CL28. ORDER OF BUSINESS

In terms of Standing Order 15.2(i), Councillor Nicol advised of 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 at the meeting.

CL29. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr T, entered the meeting.

There was submitted Report (circulated) dated 2 August 2010 by the Acting Director of Law and Administration Services on an application for the grant of a new taxi driver licence (a) advising of the background to the application; (b) detailing the consultations undertaken and responses received; and (c) detailing the applicant's record.

Mr T spoke in support of the application.

Questions were then asked by Members of the Committee.

AGREED:-

- (1) to give the applicant a final opportunity to take and pass the knowledge test, and thereafter provide evidence that he has passed the Council's medical test;
- (2) that should the applicant fail either test, to authorise the Acting Director of Law and Administration Services to refuse the application without further reference to Committee; and

- (3) that should the applicant pass both tests, to authorise the Acting Director of Law and Administration Services to grant the licence, again without further reference to Committee.

CL30. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr B, was not in attendance. The Licensing Co-ordinator advised that he had spoken with the applicant by telephone on 11 August 2010. The applicant had indicated that he wished to withdraw the application and that this would be confirmed in writing.

NOTED.

CL31. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr MacK, was not in attendance. The Licensing Co-ordinator advised that he had spoken with the applicant by telephone on 11 August 2010. The applicant apologised for his non attendance and provided reasons relating to employment commitments. The applicant also requested a continuation of consideration to allow him to attend.

AGREED to **CONTINUE** consideration of the application at the request of the applicant to allow him to attend a future meeting.

CL32. APPLICATION FOR THE GRANT OF A NEW TAXI DRIVER LICENCE

The applicant, Mr G McE, entered the meeting together with his father, Mr J McE.

There was submitted Report (circulated) dated 2 August 2010 by the Acting Director of Law and Administration Services on an application for the grant of a new taxi driver licence (a) advising of the background to the application; (b) detailing the consultations undertaken and responses received; and (c) detailing the applicant's record.

Mr G McE spoke in support of the application.

Questions were then asked by Members of the Committee.

AGREED to **GRANT** the licence for a period of one year subject to the standard conditions.

CL33. APPLICATION FOR THE GRANT OF A NEW PRIVATE HIRE CAR DRIVER LICENCE

The applicant, Mr G, was not in attendance. Having heard from the Licensing Co-ordinator on his efforts to contact the applicant, the Committee agreed to consider the application in the applicant's absence. The Licensing Co-ordinator also informed the Committee that he awaited a letter from the applicant's optician.

There was submitted Report (circulated) dated 2 August 2010 by the Acting Director of Law and Administration Services for the grant of a new private hire car driver licence (a) advising of the background to the application; (b) detailing the consultations undertaken and responses received; and (c) detailing the applicant's record.

AGREED to **CONTINUE** consideration of the application to provide a further opportunity for the applicant to be present and to provide further information on his eyesight condition.

Immediately prior to the above decision, Councillor Waddell entered the meeting but took no part in the decision.