

DRAFT**FALKIRK COUNCIL**

**MINUTE of MEETING of the CIVIC LICENSING COMMITTEE held in the MUNICIPAL BUILDINGS, FALKIRK on WEDNESDAY 6 APRIL 2011 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 OF INTEREST:** None.

**CL1. MINUTE**

There was submitted and **APPROVED** Minute of Meeting of the Civic Licensing Committee held on 9 March 2011.

**CL2. NOTIFICATION OF INTENTION TO HOLD A PUBLIC PROCESSION – CAIRDE NA HÉIREANN**

The applicant, Mr McAdam, and delegate from the applicant organisation Mr McGuire, entered the meeting.

Chief Inspector G Taylor and PC A Kane, Central Scotland Police, entered the meeting.

Mr Belbin, representative from Denny and District Community Council, an objector, entered the meeting.

There was submitted Report (circulated) dated 31 March 2011 by the Acting Director of Law and Administration Services in relation to a notification from the organisation Cairde Na hÉireann (Friends of Ireland) of their intention to hold a public procession on Saturday 16 April 2011 within Denny Town Centre commencing at Winchester Avenue through Broad Street, Duke Street, Nethermains Road, Stirling Street and Broad Street before returning to Winchester Avenue. The notification proposed that approximately 400 marchers would be involved. The Report (a) advised of the background to the application; and (b) detailed the consultations undertaken and the response received.

The Licensing Co-ordinator indicated that since the Report and copies of the representations had been issued to the Committee, a number of additional representations had been received. The applicant objected to the competency of all representations including any additional to those previously issued. After consideration,

and having regard to the transparency of the decision making process, the Committee agreed to receive the late representations and to give consideration to the decisions before it.

Mr Belbin, on behalf of Denny and District Community Council, an objector, spoke in amplification of the objection.

Questions were then asked by Members of the Committee.

Chief Inspector Taylor spoke in amplification of the Police initial concerns in relation to the proposed procession and the discussions with the applicants and the Licensing Coordinator at the Precursory meeting held on 11 March 2011. A copy of a letter dated 17 March 2011 from Central Scotland Police was circulated to the Committee. At that meeting discussions took place on the importance of the minimising of disruption to the local community, safety and policing should the Committee be prepared to allow the procession to proceed. The applicant at that meeting was happy to change the proposed procession from the original date of Saturday 9 April at 12 noon to Saturday 16 April 2011 commencing at 10.15 a.m. With appropriate measures in place Central Scotland Police were now confident that appropriate policing could be provided.

Questions were then asked by Members of the Committee.

Mr McAdam spoke in support of the application.

Questions were then asked by Members of the Committee.

Councillor Waddell suggested a possible alternative route to that submitted by the applicants to address concerns in relation to disruption to the local community within the Town Centre. This route commenced on Nethermains Road, immediately to the south of the site of the former Denny High School; proceeding towards Dunipace on to the A872 from Nethermains Road, proceeding thereafter over the Denny Bridge and thereafter entering Herbertshire Castle Park. The applicant confirmed that any alternative route would be considered.

**AGREED** that a short adjournment take place to allow the Committee to consider the submissions including the proposed alternative route.

The meeting reconvened with all Members present as per the sederunt and all other parties in attendance.

The Licensing Co-ordinator confirmed that discussions had taken place between parties in relation to the proposed alternative route during the adjournment. The applicant, Mr McAdam, Mr Belbin, Denny and District Community Council, and Chief Inspector Taylor spoke in relation to the proposed alternative route and confirmed that this was acceptable in principle. Chief Inspector Taylor thereafter requested the opportunity to consult by telephone with the Events Planning Officer, Traffic Section, Central Scotland Police for confirmation that the proposed alternative route could appropriately be policed. Chief Inspector Taylor thereafter confirmed that the proposed alternative route was acceptable, in principle. This would be subject to more detailed arrangements being arrived at between the applicant and officers from Central Scotland Police. The

applicant, Mr McAdam and Mr Belbin, Denny and District Community Council, indicated that this was acceptable.

Further questions were then asked by Members of the Committee.

Mr Belbin, Denny and District Community Council, the applicant, Mr McAdam and Chief Inspector Taylor, Central Scotland Police provided a summing up in respect of their submissions.

Councillor McLuckie abstained from taking a decision on this item.

**AGREED** to make an order in terms of Section 63 of the Civic Government (Scotland) Act 1982 imposing the following conditions:-

- (1) the Council's standard conditions;
- (2) the conditions proposed by Central Scotland Police;
- (3) that no banners of an inflammatory or offensive nature would appear in the procession; and
- (4) that detailed arrangements be agreed between the applicant and officers from Central Scotland Police, with a representative of Denny and District Community Council involved in the relevant discussions.

Councillors Jackson, Thomson and Nimmo left the meeting prior to consideration of the following item of business.

### **CL3. 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.

### **CL4. APPLICATION FOR THE GRANT OF A NEW PRIVATE HIRE CAR OPERATOR LICENCE**

The applicant, Mr M, entered the meeting.

There was submitted Report (circulated) dated 30 March 2011 by the Acting Director of Law and Administration Services on an application for the grant of a new private hire car operator licence (a) advising of the background to the application; (b) detailing the consultations undertaken and the responses received; and (c) detailing the applicant's record.

Mr M spoke in support of the application.

Questions were then asked by Members of the Committee.

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

**CL5. APPLICATION FOR THE GRANT OF A NEW TAXI OPERATOR LICENCE**

The applicant, Mr F, entered the meeting.

There was submitted Report (circulated) dated 30 March 2011 by the Acting Director of Law and Administration Services on an application for the grant of a new taxi operator licence (a) advising of the background to the application; (b) detailing the consultations undertaken and the responses received; and (c) attaching, as an appendix to the Report, letter received from Mr F in support of his application.

Mr F spoke in support of the application.

Questions were then asked by Members of the Committee.

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