

Committee Minutes

Licensing Sub-Committee of the Regulatory Committee

Edinburgh, 22 June 2011

Present:- Councillors Munn (Convener), Cairns, Henderson, McKay, Mowat and Perry.

1 Applications for Variation of Private Hire Car “Pre-Booked Hire Only Door Sticker” Licensing Conditions – Roderick Rowan, Kirsty Robertson and Graeme Wheelaghan

The Sub-Committee was invited to consider requests for a variation of Licensing Conditions to three Private Hire Car Licences so to remove the requirement for “Pre-Booked Hires Only” door stickers.

The applicants were heard.

Decision

Roderick Rowan

- 1) To vary the terms of the Licence and remove the requirement for “Pre-Booked Hires Only” door stickers, subject to the requirement that the rear licence plate carried the wording “Door Sticker Exemption”.
- 2) That the Applicant provide evidence that significant hotel contract work was still being carried out when the licence was due for renewal.

Kirsty Robertson

Not to vary the terms of the Licence.

Graeme Wheelaghan

- 1) To vary the terms of the Licence and remove the requirement for “Pre-Booked Hires Only” door stickers, subject to the requirement that the rear licence plate carried the wording “Door Sticker Exemption”.

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- 2) That the Applicant provide evidence that significant hotel contract work was still being carried out when the licence was due for renewal.

(References – report by the Acting Director of Corporate Services, submitted; letters of support for Graeme Wheelaghan, tabled.)

2 Resolution to Consider in Private

The Sub-Committee, under Section 50(A)(4) of the Local Government (Scotland) Act 1973, excluded the public from the meeting for the following items of business on the grounds that they involved the disclosure of exempt information as defined in Paragraphs 3, 12 and 14 of Part 1 of Schedule 7(A) of the Act.

3 Applications for Miscellaneous Licences – Civic Government (Scotland) Act 1982

The Acting Director of Corporate Services provided details of 15 applications for Miscellaneous Licences under the Civic Government (Scotland) Act 1982.

The Committee agreed in the interests of public safety, to hear objections to applications submitted outwith the 21 and 28 day periods in terms of Paragraph 3(1) of Schedule 1 of the Civic Government (Scotland) Act 1982.

The Convener had ruled that item B1.15, notice of which had been given at the start of the meeting, be considered as a matter of urgency in order to allow the matter to be dealt with timeously.

Decision

That the applications be determined as detailed in the Confidential Schedule, signed by the Convener, with reference to this minute.

(References – applications submitted; item B1.15, tabled.)

4 Application for Grant of Taxi Licence (agenda item B2)

The Sub-Committee at its meeting on 18 May 2011 had continued consideration of the matter for confirmation by the existing licence holder to the Head of Legal and Administrative Services of their intention to surrender one of their existing licences prior to any new licence being issued.

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The Acting Director of Corporate Services provided details of an application for the grant of a new taxi licence.

The Sub-Committee was invited to consider whether or not to grant the licence.

The applicant and the existing licence holder were heard.

Decision

To grant the licence subject to the Council's Standard Licensing Conditions and the following condition: 'The licence will not take effect until such time as a vehicle is presented which the Council considers to be suitable in type, size and design for use as a taxi and safe use and evidence is provided that a policy of insurance is in place as it complies with Part VI of the Road Traffic Act 1971.

(References – Licensing Sub-Committee of the Regulatory Committee of 18 May 2011 (item 5); report by the Acting Director of Corporate Services, submitted.)

5 Private Hire Car Driver's Licence – Suspension (agenda item B3)

The Acting Director of Corporate Services provided details of action taken by him in consultation with the Convener of the Regulatory Committee, in terms of Standing Order 63, to suspend a Private Car Driver's Licence in response to a complaint from the Chief Constable.

The Sub-Committee was invited to consider whether or not to continue to suspend the licence under Paragraph 11 of Schedule 1.

Decision

To suspend the licence, with immediate effect, for a period extending beyond 23 March 2012 until the date any renewal was considered.

(Reference – report by the Acting Director of Corporate Services, submitted.)