

Committee Minutes

Licensing Sub-Committee of the Regulatory Committee

Edinburgh, 14 September 2011

Present:- Councillors Munn (Convener), Henderson, Kate MacKenzie, Mowat and Snowden.

1 Wheelchair Accessible Taxis – Fitness of Taxi Drivers

Details were given of 9 requests from taxi drivers for exemptions from compliance with Condition 129 of the Council's Standard Licensing Conditions for Taxis, Private Hire Cars, Taxi Drivers and Private Car Hire Drivers.

The Council's Medical Adviser had recommended that the exemptions be granted as detailed in the appendix to the report by the Acting Director of Corporate Services.

Decision

To grant the exemptions as detailed in the report by the Acting Director of Corporate Services.

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

2 Street Trader Licence Applications

a) New – South St Andrew Street at junction with Princes Street

An objection had been received from Services For Communities, Road Services to an application for a new Street Traders Licence by Veronese Giancarlo at South St Andrew Street at the junction with Princes Street on the grounds that a unit placed there would potentially cause an obstruction to pedestrians and would obstruct any emergency services.

Following discussions between Road Services and the applicant, an Alternative site had been identified and agreed.

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Decision

- 1 To grant the licence subject to the Council's standard conditions for this type of licence for the alternative site at South St David Street as shown on the drawing, Street Trader Application Reference 2054, dated 09/09/2011.
- 2 Subject to a condition that trading may be suspended on certain days specified by the Director of City Development on due notice to the licence holder.

b) Renewal – Corner of Rose Street and Hanover Street

An objection had been received from Services For Communities, Road Services for the renewal of an application for a Street Traders Licence by Veronese Giancarlo at the corner of Rose Street and Hanover Street on the grounds that the area was severely affected by the Primark development and the Assembly Rooms development.

Decision

- 1 To grant the licence subject to the Council's standard conditions for this category of licence and subject to the condition that the licence will not come into effect until agreed by Road Services.
- 2 Subject to a condition that trading may be suspended on certain days specified by the Director of City Development on due notice being given to the licence holder.

(References – Licensing Sub-Committee 19 August 2011, (item 1) and applications, submitted)

3 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.

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

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Details were provided of 9 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 statutory period in terms of Paragraph 3(1) of Schedule 1 of the Civic Government (Scotland) Act 1982.

Decision

To determine applications as detailed in the Confidential Schedule, signed by the Convener, with reference to this minute.

(Reference – list of applications, submitted.)

5 Taxi Driver's Licence – Suspension (Medical) (Agenda Item B2)

The Acting Director of Corporate Services provided details of a report by the Council's Medical Advisor against a holder of a Taxi Driver's Licence advising that he was unfit to drive. The licence had been suspended in terms of Standing Order 63 by the Acting Director of corporate Services in consultation with the Convener of the Regulatory Committee, since 12 August 2011, and the Sub-Committee were invited to consider whether or not to suspend the licence, with or without immediate effect.

The licence holder was heard.

Decision

1 To note the action taken by the Acting Director of Corporate Services in consultation with the Convener of the Regulatory Committee in terms of Standing Order 63 to suspend the licence.

2 Not to suspend the licence.

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