

## Licensing Sub-Committee of the Regulatory Committee

10.15 am, Wednesday 19 February 2014

### Present

Councillor Barrie (Convener), Aitken, Gardner, Heslop and Lunn (substituting for Councillor Cairns).

### 1. Procedural Issues

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- 1.1 The Licensing Sub-Committee considered a request from one of the objectors representative to submit further information in support of their case.

The Sub-Committee heard from the objector's legal agent in regard to the request

#### Decision

The Licensing Sub-Committee having carefully considered the preliminary points raised by the objector's representative regarding the submission of a detailed court judgement outwith the statutory period agreed that no good reasons had been given and that there had been insufficient time to serve a copy on the applicant as required in terms of Paragraph 3(2) and (4) of Schedule 1 to the Civic Government (Scotland) Act 1982 and that it not be considered by the Sub-Committee at this meeting

- 1.2 The Licensing Sub-Committee were requested to determine a procedure for considering applications at this meeting.

#### Decision

The Sub-Committee agreed

1. To consider the application for the grant of a booking office licence (Ref 13/15330/BKOFCE) first followed by the application for variation of a booking office licence ((13/101060/BKOFCE).
2. To adopt the following procedure for consideration of the application for the grant of a booking office licence (Ref 13/15330/BKOFCE)

- Hear the Director of Services for Communities representative in regard to the application for Grant of Booking Office Licence
  - Questions by members of the Sub-Committee
  - Hear the objection submitted by MacRoberts on behalf of Central Taxis
  - Questions by members of the Sub-Committee
  - Hear the objection submitted by Morisons on behalf of the Scottish Taxi Federation
  - Questions by members of the Sub-Committee
  - Hear the objection by Edward Millar
  - Questions by members of the Sub-Committee
  - Hear From the Applicant
  - Questions by members of the Sub-Committee
  - To give all parties the opportunity to sum up their cases if they so wished. The summing up not to introduce any new matter and take no longer than 5 minutes
  - Debate and Decision by Sub-Committee
1. To adopt the following procedure for consideration of the application for the variation of a booking office licence ((13/101060/BKOFCE).
- Hear the Director of Services for Communities representative in regard to the application for variation of Booking Office Licence
  - Hear From the Applicant
  - Questions by members of the Sub-Committee
  - Debate and Decision by Sub-Committee

## 2. Applications for (1) Grant of Booking Office Licence and (2) Variation of Booking Office Licence – Edinburgh City Private Hire Limited

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Details were provided of applications submitted by Edinburgh City Private Hire for (1) the grant of a booking office licence (Ref 13/15330/BKOFCE) and (2) variation of a booking office licence ((13/101060/BKOFCE) at Edinburgh Airport.

The Sub-Committee heard representations as detailed above

### Decision

1. To note the contents of the report.
2. To agree to hear from the applicant's and the objectors.
3. To note that no objection to the granting of the licence had been made by officers of the Council, Police Scotland or Fire Scotland.
4. To repel the objections and grant the application for Booking Office Licence (13/15330/BKOFCE) as detailed in the report by the Head of Service, Community Safety subject to mandatory conditions set down in the Paragraph 3(c) of Schedule 1 of the Civic Government (Scotland) Act 1982 (Licensing of Booking Offices) Order 2009:
  - (a) that a record be kept of every booking for the hire of a relevant vehicle taken at the relevant premises;
  - (b) that a record be kept of–
    - (i) the registration number of the vehicle which was hired as the result of a booking taken at the relevant premises; and
    - (ii) the name of its driver at the time of that hire;
  - (c) that the holder of the licence shall take all reasonable steps to ensure that any booking taken at the relevant premises from a member of the public for the hire of a relevant vehicle results in the hire of a vehicle which is–
    - (i) a relevant vehicle; and
    - (ii) being driven by a person who holds a licence granted under section 13 of the Act and that licence is in effect.
  - (d) to note the applicants undertaking to investigate the wording used identifying the “Marshals” to avoid any confusion to the public on which type of vehicle they wished to hire.
  - (e) to note that any changes to (d) above would be subject to the approval of the airport authorities
5. To note the application for variation of a booking office licence (13/101060/BKOFCE) had been withdrawn

(Reference –report by the Director of Services for Communities, circulated)