

MINUTE of MEETING of the LICENSING COMMITTEE (PRIVATE) held within COUNCIL CHAMBERS, WEST LOTHIAN CIVIC CENTRE, on 13 MARCH 2019.

Present – Councillors Peter Heggie (Chair), Harry Cartmill, David Dodds

Apologies – Councillor George Paul, Chris Horne

1. DECLARATIONS OF INTEREST

There were no declarations of interest made.

2. MINUTE

The Committee confirmed the Minute of its meeting held on 13 February 2019 as a correct record. The Minute was thereafter signed by the Chair.

3. PRIVATE SESSION

The Committee resolved under section 50(A)(4) of the Local Government (Scotland) Act 1973, that the public be excluded from the meeting during consideration of the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 3, 12 and 14 of Part 1 of Schedule 7A of the Act.

4. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 - TEMPORARY PUBLIC ENTERTAINMENT LICENCE - ITEM 6

Introductions were made by all parties.

The applicant was in attendance and requested that his partner represent him as she dealt with the administration of the business.

The Committee agreed to the applicant's request and the applicant's partner attended on behalf of the applicant.

Environmental Health was represented by Mr Ian McCluskey.

Police Scotland was represented by PC Tom White.

The Chair explained the procedure that would be followed.

The applicant's representative confirmed there was no dispute with the contents of the report.

The Clerk referred the Committee to the report.

The Committee heard Mr McCluskey speak with regard to the representation submitted by Environmental Health and he suggested two

additional conditions if the Committee were of a mind to grant the application.

The applicant's representative was given an opportunity to question Mr McCluskey.

The Committee had an opportunity to question Mr McCluskey.

The Committee heard PC White speak in relation to the application. PC White confirmed Police Scotland had no objections to the event, however suggested a number of additional conditions be attached to the licence if the Committee were minded to grant the application.

The applicant's representative was given an opportunity to question PC White.

The Committee had an opportunity to question the applicant.

The Committee heard the applicant's representative speak in support of the application and with regard to the representation from Environmental Health.

Mr McCluskey and PC White were given an opportunity to question the applicant's representative.

The Committee had an opportunity to question the applicant's representative.

Finally, all parties were given an opportunity to sum up.

The Clerk provided the Committee with legal advice. All parties were given an opportunity to comment on the legal advice

Decision

To grant the application subject to all standard conditions, the six additional conditions as requested by Police Scotland and the two additional conditions requested by Environmental Health as amended.

5. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 - PRIVATE HIRE CAR DRIVER'S LICENCE - ITEM 7

Introductions were made by all parties. The Chair explained the procedure that would be followed.

The applicant was in attendance at the meeting and was unrepresented. The applicant confirmed that he was content to proceed without representation.

Police Scotland was represented by Inspector Kevin Smith.

The applicant confirmed he had no dispute with the contents of the report and the information provided in the letter of objection by Police Scotland.

The Clerk referred the Committee to the report and the additional information provided by the applicant.

The Committee heard Inspector Smith speak in relation to the objection by Police Scotland.

The applicant was given an opportunity to question Inspector Smith.

The Committee had an opportunity to question Inspector Smith.

The Committee heard the applicant speak in support of his application.

Inspector Smith was given an opportunity to question the applicant.

The Committee had an opportunity to question the applicant.

Finally, both parties were given an opportunity to sum up.

The Clerk provided the Committee with legal advice. Both parties were given an opportunity to comment on the legal advice before leaving the room to allow the Committee to deliberate in private.

Following private deliberations both parties returned. The Clerk advised that he had not provided any further legal advice to the Committee in the private session. The Committee then made its decision.

Decision

To grant the application for a private hire car driver's licence.

6. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 - PRIVATE HIRE CAR DRIVER'S LICENCE - ITEM 8

Introductions were made by all parties. The Chair explained the procedure that would be followed.

The applicant was in attendance at the meeting and was accompanied by her prospective employer. The applicant confirmed she representing herself and that she was content to proceed without representation.

Police Scotland was represented by Inspector Kevin Smith.

The applicant confirmed she had no dispute with the contents of the report and the information provided in the letter of objection by Police Scotland.

The Clerk referred the Committee to the report.

The Committee heard Inspector Smith speak in relation to the objection by Police Scotland.

The applicant was given an opportunity to question Inspector Smith.

The Committee had an opportunity to question Inspector Smith.

The Committee heard the applicant speak in support of his application.

Inspector Smith was given an opportunity to question the applicant.

The Committee had an opportunity to question the applicant.

Finally, both parties were given an opportunity to sum up.

The Clerk provided the Committee with legal advice. Both parties were given an opportunity to comment on the legal advice before leaving the room to allow the Committee to deliberate in private.

Following private deliberations both parties returned. The Clerk advised that he had not provided any further legal advice to the Committee in the private session. The Committee then made its decision.

Decision

To grant the application for a private hire car driver's licence.

7. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 - PRIVATE HIRE CAR DRIVER'S LICENCE - ITEM 9

Introductions were made by all parties. The Chair explained the procedure that would be followed.

The applicant was in attendance at the meeting and was unrepresented. The applicant confirmed she was content to proceed without representation.

Police Scotland was represented by Inspector Kevin Smith.

The applicant confirmed she had no dispute with the contents of the report and the information provided in the letter of objection by Police Scotland.

The Clerk referred the Committee to the report and the additional information provided by the applicant.

The Committee heard Inspector Smith speak in relation to the objection by Police Scotland.

The applicant was given an opportunity to question Inspector Smith.

The Committee had an opportunity to question Inspector Smith.

The Committee heard the applicant speak in support of his application.

Inspector Smith was given an opportunity to question the applicant.

The Committee had an opportunity to question the applicant.

Finally, both parties were given an opportunity to sum up.

The Clerk provided the Committee with legal advice. Both parties were given an opportunity to comment on the legal advice before leaving the room to allow the Committee to deliberate in private.

Following private deliberations both parties returned. The Clerk advised that he had not provided any further legal advice to the Committee in the private session. The Committee then made its decision.

Decision

To grant the application for a private hire car driver's licence.