

SCOTTISH BORDERS COUNCIL
CIVIC GOVERNMENT LICENSING COMMITTEE

MINUTES of Meeting of the CIVIC GOVT.
LICENSING COMMITTEE held in
COMMITTEE ROOMS 2/3, COUNCIL
HEADQUARTERS, NEWTOWN ST
BSOWELLS on Friday, 16 June 2017 at 12
Noon

Present:- Councillors J. Greenwell (Chairman), J. Brown, D. Paterson, N. Richards, S. Scott, T. Weatherston,

Apologies:- Councillors R. Tatler, E. Thornton-Nicol, G. Turnbull

In Attendance:- Chief Legal Officer, Licensing Team Leader, Licensing Standards and Enforcement Officers (Mr M. Wynne and Mr I. Tunnah), Democratic Services Officer (F Henderson), Inspector J Scott and PC Clayton Lackenby- Police Scotland.

1.0 **MINUTE**

1.1 The Minute of the Meeting of 21 April 2017.

DECISION

APPROVED and signed by the Chairman.

2.0 **LICENCES ISSUED UNDER DELEGATED POWERS**

2.1 Miscellaneous Licences issued under delegated powers between 12 April 2017 and 31 May 2017.

DECISION

NOTED the lists.

3.0 **LICENSING OF SECOND HAND/METAL DEALERS**

3.1 There had been circulated copies of applications for the Grant of a Second Hand Dealer Licence and Metal Dealer Licence submitted by Mr Graham Redpath together with letters of objection from neighbours. Mr Redpath was present at the meeting and was represented by Mr Rory Bannerman, Bannerman and Burke. Mr Cook and Mr Von Slicher, objectors to the application were present and Mr Wynne gave a brief summary of the application.

3.2 Mr Bannerman provided the background to his clients long established, family business as a skip hire company and stated that his clients understood the necessity to ensure all relevant permits and licences were applied for. He went on to address the concerns raised by neighbours and gave assurances that his client would be considerate towards his neighbours if the licences were granted, however, stressed the point that the premises had been in existence for decades, long before the residential development which the neighbours occupied and therefore the main areas of concern, such a heavy traffic, noise, pollution and parking had been long standing matters which had not caused any formal action against the premises in the past.

3.3 Members then heard from the objectors, Mr Cook and Mr Von Slicher individually and there followed questions which were answered by Mr Redpath and Mr Bannerman on his behalf, During the debate, Mr Bannerman submitted that his client would be willing to reduce the trading hours of the business in an attempt to allay some of the concerns of activity taking place at the premises during unsocial hours.

VOTE

Councillor Weatherston, seconded by Councillor Brown moved that the application be granted subject to an undertaking by the applicant to operate the restricted hours above but to allow flexibility where there was a business need to do so.

Councillor Paterson, seconded by Councillor Scott moved as an amendment that the application be granted on condition that the trading hours for both licences were amended to restrict trading hours to Monday – Friday 8.00am – 6.00pm; Saturday 8.00am – 2.00pm and Sunday 12 noon – 4.00pm.

Motion – 2 votes

Amendment – 4 votes

The amendment was accordingly carried.

DECISION

GRANTED the applications for Second Hand Dealer and Metal Dealer Licences to Mr Graham Redpath on condition that the hours be restricted as per the amendment.

4.0 PRIVATE BUSINESS

DECISION

AGREED under Section 50A(4) of the Local Government (Scotland) Act 1973 to exclude the public from the meeting during consideration of the business detailed in the Appendix to this Minute on the grounds that they involved the likely disclosure of exempt information as defined in paragraph 12 of part 1 of Schedule 7A to the Act.

SUMMARY OF PRIVATE BUSINESS

5.0 RENEWAL OF ITINERANT METAL DEALERS LICENCE – ROBERT YOUNG

5.1 The Committee considered an application for the Renewal of an Itinerant Metal Dealers Licence submitted by Robert Young and agreed to grant.

6.0 GRANT OF TAXI DRIVER LICENCE – KEVIN COTTRELL

6.1 Continued to the next Committee.

7.0 RENEWAL OF TAXI DRIVER LICENCE – PAUL MILLER

7.1 The Committee considered an application for the Renewal of a Taxi Driver Licence submitted by Paul Miller and agreed to grant.

8.0 GRANT OF STREET TRADER LICENCE – ALLISON GASPARINI

8.1 The Committee considered an application for the Grant of a Street Trader Licence submitted by Allison Gasparini and agreed to grant subject to outstanding matters being dealt with under delegated powers.

9.0 GRANT OF STREET TRADER LICENCE – JARRID NEIL

9.1 The Committee considered an application for the Grant of a Street Trader Licence submitted by Jarrid Neil and agreed to grant.

10.0 MINUTE

10.1 The Private section of the Minute of 21 April 2017 was approved.

The meeting concluded at 1.45 p.m.