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CIVIC GOVERNMENT LICENSING COMMITTEE FRIDAY, 15TH DECEMBER, 2017

A MEETING of the CIVIC GOVERNMENT LICENSING COMMITTEE will be held in COMMITTEE ROOMS 2/3, COUNCIL HEADQUARTERS, NEWTOWN ST BOSWELLS on FRIDAY, 15 DECEMBER 2017 at 10.30 a.m.

J. J. WILKINSON,
Clerk to the Council,

8 December 2017

BUSINESS		
1.	Apologies for Absence	
2.	Order of Business	
3.	Declarations of Interest	
4.	Minute (Pages 3 - 4) Minute of Meeting held on 17 November 2017 to be approved and signed by the Chairman. (Copy attached.)	2 mins
5.	Licences issued under Delegated Powers (Pages 5 - 8) (Copy attached.)	5 mins
6.	Items Likely to be Taken in Private Before proceeding with the private business, the following motion should be approved: "That under Section 50A(4) of the Local Government (Scotland) Act 1973 the public be exclude from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraph 14 of Part 1 of Schedule 7A to the aforementioned Act."	
7.	Licensing of Taxi, Private Hire Vehicles and Drivers Hearing to consider:-	
	(a) Grant of Taxi Driver Licence- Alan Thomson (Pages 9 - 12) (Copy application and Police representation attached.)	20 mins

	(b) Grant of Taxi Driver Licence - Jason Raeburn (Copy application and Police objection attached.)	(Pages 13 - 18)	20 mins
	(c) Renewal of Taxi Driver Licence - Neil Crowe (Copy application and Notice of Hearing attached.)	(Pages 19 - 22)	20 mins
8.	Minute (Pages 23 - 26) Private section of Minute of Meeting held on 17 November 2017 to be approved and signed by the Chairman. (Copy attached.)		2 mins
9.	Any Other Items Previously Circulated		
10.	Any Other Items which the Chairman Decides are Urgent		

NOTES

1. Timings given above are only indicative and not intended to inhibit Members' discussions.
2. Members are reminded that, if they have a pecuniary or non-pecuniary interest in any item of business coming before the meeting, that interest should be declared prior to commencement of discussion on that item. Such declaration will be recorded in the Minute of the meeting.

Membership of Committee: Councillors J Greenwell (Chairman), J Brown, D Paterson, N Richards, S Scott, R Tatler, E Thornton-Nicol, G Turnbull, T Weatherston.

Please direct any enquiries to Fiona Henderson 01835 826502
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SCOTTISH BORDERS COUNCIL
CIVIC GOVERNMENT LICENSING COMMITTEE

MINUTE of Meeting of the CIVIC
GOVERNMENT LICENSING COMMITTEE
held in COMMITTEE ROOMS 2 AND 3,
COUNCIL HEADQUARTERS, NEWTOWN
ST BOSWELLS on Friday, 17 November
2017 at 10.30 a.m.

Present:- Councillors J. Greenwell (Chairman), D. Paterson, N. Richards, S. Scott, R. Tatler, E. Thornton-Nicol, G. Turnbull.

Apologies:- Councillors J. Brown, T. Weatherston.

In Attendance:- Managing Solicitor – Property and Licensing, Licensing Team Leader, Licensing Standards and Enforcement Officer (Mr I. Tunnah), Democratic Services Officer (F Henderson), Inspector T. Hodges and PC C Lackenby-Police Scotland.

1.0 MINUTE

1.1 The Minute of the Meeting of 20 October 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 October – 8 November 2017.

DECISION

NOTED.

3.0 TAXI DRIVER AND PRIVATE HIRE DRIVER MEDICAL ASSESSMENTS

3.1 There had been circulated copies of a report by the Service Director Regulatory Services which sought approval for the introduction of a formal policy regulating the assessment of medical fitness to drive taxi and private hire cars. The report explained that the Council as Licensing Authority for the Scottish Borders area was responsible for the licensing of taxi drivers and private hire car drivers under the Civic Government (Scotland) Act 1982. In April 2016 the DVLA issued guidance to Licensing Authorities which recommended that taxi drivers and private hire car drivers should be medically assessed to a Group 2 driving licence standard as required for lorry and bus drivers. In November 2016 the Scottish Government wrote to the Conveners of all Licensing Authorities in Scotland specifically directing them to the updated guidance issued by DVLA. The recommendation contained in the report followed the conclusions of the Working Group set up to assess the need for a policy as explained in paragraphs 3.3 and 3.4 of the report. In the event that the introduction of the policy was approved then Officers within the Council's Licensing Team would require to intimate the adoption and implementation date of the policy to the Taxi trade and to notify and liaise with the medical profession. In addition, Officers within the Council's Licensing Team would require to make appropriate amendments to the application forms and to the conditions attached to the grant of taxi driver and private hire car driver licences to make it mandatory for licence holders to report any disability or medical condition which may affect their ability to drive to the Council's Licensing Team.

DECISION

- * **AGREED** to recommend to Council the introduction of a policy requiring all taxi and private hire drivers licensed by Scottish Borders Council to be medically assessed to DVLA Group 2 standards:

- (i) From the age of 18 and thereafter reassessed at age 45
- (ii) From age 45 onwards reassessed on a five year basis.
- (iii) From Age 65 to be reassessed on an annual basis.
- (iv) In the event of a disability or medical condition which may affect an applicant's ability to drive being disclosed to the Council's Licensing Team whilst the grant of a licence is in force.

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 GRANT OF STREET TRADER LICENCE – GRAHAM SCHUTTE

- 5.1 The Committee agreed to grant the application for a Street Trader Licence submitted by Graham Schutte.

DECLARATION OF INTEREST

Councillor Greenwell declared an interest in the following item of business in terms of Section 5 of the Councillors Code of Conduct and left the Chamber during the discussion.

6.0 CHAIRMAN

- 6.1 In the absence of the Chairman, Councillor Tatler, seconded by Councillor Scott proposed that Councillor Turnbull chair the meeting. There being no other nominations, Councillor Turnbull chaired the meeting for the following item of business.

7.0 GRANT OF TAXI DRIVER LICENCE – STUART AYRE

- 7.1 The Committee agreed to grant the application for a Taxi Driver Licence submitted by Stuart Ayre.

8.0 CONTINUATION TAXI DRIVER LICENCE – JAMES MORRISON

- 8.1 The Committee agreed that Mr James Morrison continue to hold a Taxi Driver Licence and that a written warning be issued on behalf of the Committee.

9.0 MINUTE

- 9.1 The Private section of the Minute of 20 October 2017 was approved.

The meeting concluded at 11.10 a.m.

**CIVIC GOVERNMENT AND MISCELLANEOUS LICENCES
ISSUED UNDER DELEGATED POWERS**

9 NOVEMBER 2017 - 1 DECEMBER 2017

Applicant/Existing Licenceholder	Type and Nature of Application	Description	Date Issued
Hana Hearn	Animal Boarding - Grant (Home Boarding)	Valley House, Coldingham 2 Dogs	24/11/2017
Mark Stewart	Animal Boarding - Renewal	Q's Cat Motel, Hardwicke, High Street, Ayton, Eyemouth 26 Cats	24/11/2017
Melrose Road Races	Marches and Parades	Charity 13.1KM Run - Melrose Sunday 17 December 2017 10.30am	23/11/2017
Rotary Club Of Melrose	Marches and Parades	Christmas Parade, Carol Service and Santa's Grotto - Melrose	23/11/2017
Coldstream Community Trust	Marches and Parades	Christmas Light Switch On – Coldstream Sunday 3 December 2017 4.00pm	17/11/2017
Newtown And Eildon Community Council	Marches and Parades	Procession to Switch on Christmas Tree Lights - Newtown St Boswells	20/11/2017
Peebles Christmas Lights Association	Marches and Parades	Escort Santa and the Beltane Queen - Peebles Thursday 7 December 2017 7.15pm	10/11/2017
Earlston 2000 Lighting	Marches and Parades	Public Switch on of Christmas Lights – Earlston Sunday 10 December 2017 5.15pm	23/11/2017
Hawick Ex Servicemen's Club	Marches and Parades	Remembrance Day Parade - Hawick Sunday 12 November 2017 10.30am	09/11/2017
Innerleithen Civic Association	Marches and Parades	Switch on of 2017 Innerleithen Christmas Lights - Innerleithen	01/12/2017
Jedburgh Community Council	Marches and Parades	Jedburgh Winter Festival - Jedburgh Friday 1 December 2017 5.30pm	30/11/2017
Hillside Outside Ltd	Marches and Parades	Hogmanay Celebration - Peebles Sunday 31 December 2017 6.00pm	01/12/2017
St Peter's Primary School Galashiels	Market Operator - Temporary	St Peters Primary School, Parsonage Road, Galashiels Friday 24 November 2017 11.30am - 3.00pm	16/11/2017
Emma Brown	Market Operator - Temporary	Volunteer Hall, St John Street, Galashiels Saturday 25 and Sunday 26 November 2017	16/11/2017
Hawick Community Council	Market Operator - Temporary	High Street, Hawick Saturday 2 December 2017 4.00pm - 7.00pm	30/11/2017

Patricia Paterson	Market Operator - Temporary	Channel Street (Outside Old Post Office) and Douglas Bridge, Galashiels	30/11/2017
John Hutchison	Metal Dealer - Renewal	Hutchison Haulage Ltd, Station Road Industrial Estate, Duns	10/11/2017
Walter Scott	Private Hire Driver - Renewal	4/PD4	24/11/2017
Kaye Niven	Private Hire Vehicle - Renewal	2/PV16 - Toyota Verso SO59 BHZ - 6 Passengers	16/11/2017
Colin McLaren	Private Hire Vehicle - Renewal	2/PV51 - Peugeot Partner SB57 DYU - 4 Passengers	16/11/2017
Colin McLaren	Private Hire Vehicle - Renewal	2/PV69 - Peugeot Partner SH57 NFR - 4 Passengers	22/11/2017
Telford's Coaches Limited	Private Hire Vehicle - Renewal	3/PV19 - Ford Transit Minibus CV61 KSO - 8 Passengers	30/11/2017
British Red Cross	Public Charitable Collection	House to House/Street Collections - Various Locations throughout Scottish Borders Sunday 6 - Saturday 12 May 2017	23/11/2017
Peebles Piranhas - The Mini Rugby Section	Public Charitable Collection	Street Collection - 19 Eastgate, Peebles Saturday 17 March 2018	24/11/2017
Peebles And District Round Table - Santa S	Public Charitable Collection	House to House - Tweeddale Area Sunday 3 - Sunday 15 December 2017	24/11/2017
Page 2 Rotary International (Lauderdale)	Public Charitable Collection	House to House/Street Collections - Lauder, Blainslie, Earlston, Stow and Oxton Saturday 16 to Saturday 23 December 2017	29/11/2017
Jedburgh Winter Festival	Public Charitable Collection	Street Collection - High Street, Jedburgh Friday 1 December 2017	30/11/2017
Christian Aid	Public Charitable Collection	House to House/Street Collections - Various Locations throughout Scottish Borders Sunday 13 May to Saturday 19 May 2018	30/11/2017
Marie Curie	Public Charitable Collection	House to House - Various Locations throughout Scottish Borders Monday 5 to Sunday 18 March 2018	30/11/2017
Cancer Research UK	Public Charitable Collection	Street Collections - Various Locations throughout Scottish Borders Friday 2 February 2018 – Galashiels, Kelso and Peebles	23/11/2017
Broughton Village Hall	Public Entertainment - Renewal	Broughton Village Hall Sunday to Thursday 10.00am - 12.00midnight Friday to Saturday 10.00am – 1.00am	10/11/2017
Denholm Village Hall	Public Entertainment - Grant	Denholm Village Hall Sunday to Thursday 8.00am - 12.00midnight Friday and Saturday 8.00am - 1.00am	

Morebattle Village Hall Trustees	Public Entertainment - Grant	Morebattle Village Hall Tuesday to Friday 8.00am - 5.00pm	21/11/2017
Thomas Noon	Public Entertainment - Temporary	Funfair - The Square, Kelso Saturday 25 November 2017 3.00pm - 9.00pm	20/11/2017
Albert Reid	Public Entertainment - Temporary	Funfair - Main Street, Peebles Thursday 7 December 2017 6.00pm - 9.00pm	20/11/2017
Kenneth Stuart	Public Entertainment - Temporary	Funfair - Area Outside Old Post Office, Galashiels Saturday 2, 9, 16 and 23 December 2017 10.00am - 6.00pm	30/11/2017
Alexander Hay	Public Entertainment - Temporary	Entertainment/Music - Kelso Racecourse, Kelso Sunday 10, Saturday 29 December 2017 and Sunday 14 January 2018 11.00am – 10.00pm	21/11/2017
James Lough	Street Tracer - Grant	Food Unit – MT17 OHG Tuesday to Friday 8.00am – 5.00pm Various locations throughout Scottish Borders	17/11/2017
Lyle Rutherford	Street Trader - Grant	Catering Unit - W218 NAD Monday to Sunday 7.00am - 11.00pm	15/11/2017
Darren Sharp	Street Trader - Temporary	Small Moveable Stand/Barrow Monday to Sunday 9.00am - 11.00pm	20/11/2017
Stuart Cameron	Taxi Driver - Grant	1/TD23	21/11/2017
Fiona Calder	Taxi Driver - Renewal	1/TD9	22/11/2017
George Low	Taxi Driver - Grant	2/TD41	30/11/2017
Denyse Ainslie	Taxi Driver - Grant	2/TD45	01/12/2017
Kacper Burski	Taxi Driver - Grant	3/TD59	23/11/2017
Lukasz Kriese	Taxi Driver - Renewal	2/TD32	15/11/2017
Dale Wilkinson	Taxi Driver - Renewal	2/TD53	17/11/2017
Jakub Kuchiak	Taxi Driver - Renewal	2/TD78	24/11/2017
Michael Burn	Taxi Driver - Renewal	2/TD83	24/11/2017
Robert Bird	Taxi Driver - Renewal	2/TD373	10/11/2017
Gavin Bowers	Taxi Driver - Renewal	2/TD195	01/12/2017
Steven McCudden	Taxi Driver - Renewal	2/TD391	15/11/2017
Pamela Thomson	Taxi Driver - Renewal	3/TD3	20/11/2017
Alan Watt	Taxi Driver - Renewal	3/TD25	09/11/2017
Brian Lyle	Taxi Driver - Renewal	3/TD26	20/11/2017
Christian Scherfling	Taxi Driver - Renewal	3/TD28	22/11/2017
Andrew Marshall	Taxi Driver - Renewal	3/TD35	20/11/2017
Andrew Thomson	Taxi Driver - Renewal	3/TD43	20/11/2017

William Mair	Taxi Driver - Renewal	3/TD48	15/11/2017
Mario Boni	Taxi Driver - Renewal	3/TD54	13/11/2017
Charles Murdoch	Taxi Driver - Renewal	3/TD60	28/11/2017
Sheila McLean	Taxi Driver - Renewal	3/TD106	20/11/2017
Michael Trotter	Taxi Driver - Renewal	3/TD162	20/11/2017
Thomas Fraser	Taxi Driver - Renewal	4/TD15	10/11/2017
Michael Wilson	Taxi Driver - Renewal	4/TD21	17/11/2017
Lisa Dawkins	Taxi Driver - Renewal	4/TD23	17/11/2017
Malcolm Dodds	Taxi Driver - Renewal	4/TD57	24/11/2017
Graham Learmond	Taxi Driver - Renewal	4/TD65	15/11/2017
John Stennett	Taxi Driver - Renewal	4/TD73	24/11/2017
Hunters Cabs And Mini Buses	Taxi Vehicle - Grant	2/TV132 - Vauxhall Zafira SL10 JYT - 6 Passengers	09/11/2017
Agnieszka Strus-Rabcewicz	Taxi Vehicle - Grant	2/TV22 - Toyota Prius SL16 YLP - 4 Passengers	09/11/2017
Stuart Russell	Taxi Vehicle - Grant	2/TV54 - Skoda Octavia DE11 PRX - 4 Passengers	30/11/2017
George Low	Taxi Vehicle - Grant	2/TV56 - Seat Alhambra SP14 NDU - 6 Passengers	30/11/2017
Central Cab Care Ltd	Taxi Vehicle - Grant	2/TV79 - Mercedes Benz E220 - 4 Passengers	17/11/2017
Keith Gibb	Taxi Vehicle - Grant	4/TV32 - Vauxhall Vilvaro BD55 DWG - 8 Passengers	10/11/2017
Robert Scott	Taxi Vehicle - Grant Dual Plate	1/TV21 & 3/TV21 - Ford Galaxy Zetec TDCI OV64 FMK - 6 Passengers	30/11/2017
Derek Brown	Taxi Vehicle - Renewal	2/TV16 - Vauxhall Insignia SL10 GXS - 4 Passengers	08/11/2017

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