

# SCOTTISH BORDERS COUNCIL CIVIC GOVERNMENT LICENSING COMMITTEE

MINUTES of Meeting of the CIVIC  
GOVERNMENT LICENSING COMMITTEE  
held in Committee Rooms 2 and 3, Council  
HQ on Friday, 22 February 2019 at 11.15 am

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

In Attendance:- Managing Solicitor – Property and Licensing, Licensing Team Leader,  
Licensing Standards and Enforcement Officers (Mr I. Tunnah and Mr M.  
Wynne), Democratic Services Officer (F. Henderson), Inspector J. McGuigan,  
PC T Rae - Police Scotland

## 1.0 MINUTE

The Minute of the Meeting of 18 January 2019 had been circulated.

### DECISION

**APPROVED and signed by the Chairman.**

## 2.0 LICENCES ISSUED UNDER DELEGATED POWERS

There had been circulated copies of the Civic Government and Miscellaneous Licences issued under delegated powers between 9 January 2019 and 12 February 2019.

### DECISION

**NOTED.**

## 3.0 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

## 4.0 LICENSING OF TAXI, PRIVATE HIRE VEHICLES AND DRIVERS

### Hearings to consider requests for suspension of Taxi Driver Licences

There had been circulated copies of a letter dated 21 January 2019 from Police Scotland requesting the suspension of a Taxi Driver Licence on the grounds of his conduct while carrying out his role as a taxi driver. The licence holder was present at the meeting supported by a work acquaintance. After hearing both parties, the Committee did not consider the licence holder was no longer a fit and proper person to continue to hold a Taxi Driver Licence and agreed that the suspension request be refused.

5.0 There had been circulated copies of a letter dated 28 January 2019 from Police Scotland requesting the immediate suspension of a Taxi Driver Licence on the grounds of public safety. The licence holder was present at the meeting. After hearing both parties, the Committee was of the opinion that the licence holder was no longer a fit and proper person to hold a Taxi Driver Licence and agreed that the Taxi Driver Licence be suspended for the remainder of its current duration.

6.0 **LICENSING OF DOG BREEDERS**

The Managing Solicitor – Property and Licensing advised the Committee that the licence holder had requested that the matter be deferred to the next meeting in order to allow more time to prepare and the Committee agreed that the matter be deferred to the next meeting.

THE REPRESENTATIVES FROM POLICE SCOTLAND THEN LEFT THE MEETING.

**DECLARATION OF INTEREST**

Councillor Paterson 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.

7.0 **REGISTRATION OF PRIVATE SECTOR LANDLORDS**

With reference to paragraph 3 of the Minute of 18 March 2016, there had been circulated copies of a report by the Service Director Regulatory Services which made a recommendation that the Committee find that an applicant is not a fit and proper person to be registered as a landlord in terms of part 8 of the Anti-Social Behaviour etc. (Scotland) Act 2004. The Housing Strategy Manager was present at the meeting to answer Members questions. In the absence of the applicant or any legal representative, the Committee were referred to the applicant's legal agent's written submission together with copies of additional papers in support of registration previously circulated to the Committee. Following discussion the Committee agreed that further information was required before moving to a decision and that the matter be deferred to the next meeting.

8.0 **MINUTE**

The Private section of the Minute of 18 January 2019 was approved.

*The meeting concluded at 12.20 p.m.*