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CIVIC GOVERNMENT LICENSING COMMITTEE FRIDAY, 22ND MARCH, 2019

A MEETING of the CIVIC GOVERNMENT LICENSING COMMITTEE will be held in COMMITTEE ROOMS 2 AND 3, COUNCIL HEADQUARTERS, NEWTOWN ST BOSWELLS on FRIDAY, 22 MARCH 2019 at 10.30 a.m.

J. J. WILKINSON,
Clerk to the Council,

15 March 2019

BUSINESS		
1.	Apologies for Absence	
2.	Order of Business	
3.	Declarations of Interest	
4.	Minute (Pages 3 - 4) Minute of Meeting held on 22 February 2019 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.	Housing (Scotland) Act 2014: Licensing of Residential Caravan Sites Verbal update on the introduction of a statutory requirement for caravan sites with permanent residents to be licensed.	10 mins
7.	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."	
8.	Licensing of Taxi, Private Hire Vehicles and Drivers:-	
	(a) Hearing to consider Grant of Taxi Driver Licence (Pages 9 -	20 mins

	(Copy application and Police Scotland objection letter attached.)	12)	
	(b) Hearing to consider Grant of Taxi Driver Licence (Copy application and Police Scotland representation letter attached.)	(Pages 13 - 16)	20 mins
9.	Registration of Private Sector Landlords (Pages 17 - 62) Continuation of Hearing to consider application for landlord registration. (Copy report by Director of Regulatory Services attached.)		20 mins
10.	Licensing of Dog Breeders. (Pages 63 - 80) Continuation of Hearing to consider application for renewal of Dog Breeding Licence. (Copy application, together with Licence timeline, associated reports and representation received from Police Scotland attached.)		20 mins
11.	Minute (Pages 81 - 84) Private section of Minute of Meeting held on 22 February 2019 to be approved and signed by the Chairman. (Copy attached.)		2 mins
12.	Any Other Items Previously Circulated		
13.	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 and T. Weatherston

Please direct any enquiries to:

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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 on Friday,
22 February 2019 at 11.15 a.m.

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.

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

13 February 2019 - 12 March 2019

NAME OF APPLICANT	TYPE OF LICENCE	DETAILS	ISSUED
Robin Lees	House in Multiple Occupation	Renewal - Flat Above The Horn Inn, Duns 4 Persons	15/02/2019
Presenting Coldstream Association	Marches and Parades	Installation of Coldstreamer 2019 - Coldstream Friday 12 April 2019 7.30pm	27/02/2019
Berwick Riders' Association	Marches and Parades	Annual Riding of the Bounds - Berwickshire Saturday 4 May 2019 10.30am	15/02/2019
Pets At Home Ltd	Pet Shop	Renewal - Gala Water Retail Park, Huddersfield Street, Galashiels Degus - 12, Chinchillas - 12, Rabbits - 50, Cavies - 60, Hamsters - 120, Rats - 20, Gerbils - 20, Fish (Tropical) - 3000, Fish (Cold Water) - 1000	15/02/2019
Lorraine Pesarra	Private Hire Driver	Renewal - 1/PD22	20/02/2019
George White	Private Hire Driver	Renewal - 4/PD7	20/02/2019
John Lumsden	Private Hire Driver	Renewal - 4/PD9	15/02/2019
DS Private Hire	Private Hire Vehicle	Renewal - 4/PV20 - Black Volkswagen Passat SM12 MVU - 4 Passengers	20/02/2019
Eyemouth And District Chamber Of Trade	Public Charitable	Eyemouth and District Chamber of Trade - Street Collections - Eyemouth Saturday 1 June 2019	13/02/2019
Presenting Coldstream Association	Public Charitable	Presenting Coldstream Association - Street Collections - Coldstream Week Ending 10 August 2019	22/02/2019
Amnesty International (Tweeddale Group)	Public Charitable	Amnesty International - Street Collections - Peebles Saturday 4 May 2019	01/03/2019
Inchorus	Public Charitable	Comic Relief 2019 - Street Collections - Various Locations throughout SBC Sunday 10 March 2019	22/02/2019
Salvation Army	Public Charitable	Salvation Army - Street Collections - Selkirk Saturday 6 July 2019	21/02/2019
Salvation Army	Public Charitable	Salvation Army - Street Collections - Galashiels Saturday 6 July 2019	21/02/2019

Salvation Army	Public Charitable	Salvation Army - Street Collections - Hawick Saturday 27 July 2019	21/02/2019
Salvation Army	Public Charitable	Salvation Army - Street Collections - Kelso Saturday 17 August 2019	21/02/2019
Salvation Army	Public Charitable	Salvation Army - Street Collections - Jedburgh Saturday 17 August 2019	21/02/2019
Peebles MS Society	Public Charitable	M S Society - Street Collections - Peebles Saturday 27 April 2019	01/03/2019
Skirling Village Hall Committee	Public Entertainment	3 Year - Skirling Village Hall , Skirling Monday to Sunday 9.00am - 12.00midnight	22/02/2019
Ross Aitchison	Public Entertainment	Temporary - Old Eyemouth High School, Coldingham Road , Eyemouth Saturday 6 April 2019 7.00pm - 12.00midnight	22/02/2019
Alexander Hay	Public Entertainment	Temporary - Kelso Racecourse , Kelso Saturday 2 March 2019, Saturday 23 March 2019 and Monday 8 April 2019 11.00am - 10.00pm	28/02/2019
Global Antiques Page 6	Second Hand Dealers	1 72 High Street , Hawick Monday to Saturday 10.00am - 3.00pm Sale of antiques, bric-a-brac, works of art and other collectables including stamps; books, magazines and other printed materials; furniture and soft furnishings; jewellery including watches, clocks and other chronometers; musical instruments and associated equipment; office equipment; photographic and cinematic equipment, tradesmens tools and equipment; toys	07/03/2019
Lisa Haig	Skin Piercing and Tattooing Order 2006	The Beauty Retreat, Kelso Monday to Friday 9.00am - 9.00pm Tattooing (Micro-Blading)	06/03/2019
Matthew Lawson	Street Trader	Grant - Ford Transit AV08 MSY Sunday to Saturday 7.00am - 11.00pm Hawick, Bonchester Bridge, Denholm and surrounding rural areas and events/festivals throughout SBC Area Sale of Ice Cream, Confectionary and Soft Drinks	06/03/2019

Beverly Buckley	Street Trader	Grant - Ford Transit AV08 MSY Sunday to Saturday 7.00am - 11.00pm Hawick, Bonchester Bridge, Denholm and surrounding rural areas and events/festivals throughout SBC Area Sale of Ice Cream, Confectionary and Soft Drinks	06/03/2019
Jane McClung	Street Trader	Grant - Landrover SL56 AEZ Monday to Sunday 7.30am - 3.00pm Leadburn Community Wood Layby Sale of Snack Food	22/02/2019
Barry Robertson	Street Trader	Renewal - Fiat Doblo Panel Van SJ68 ABO Thursday 12.00noon - 8.00pm West Linton, Lamancha and Surrounding Area Fresh Fish and Associated Foodstuff	22/02/2019
Caitlin Addison	Street Trader	Bidy's Vintage Kitchen Mobile Trailer Monday and Saturday 8.00am - 4.00pm Tuesday to Friday 8.00am - 3.00pm B & Q Retail Unit Car Park, Galashiels Sale of hot and cold food	13/02/2019
Angela Addison	Street Trader Employee	Bidy's Vintage Kitchen Mobile Trailer Monday and Saturday 8.00am - 4.00pm Tuesday to Friday 8.00am - 3.00pm B & Q Retail Unit Car Park, Galashiels Sale of hot and cold food	21/02/2019
Andrew McCulloch	Taxi Driver	Grant - 2/TD30	20/02/2019
Neiko Murray	Taxi Driver	Grant - 2/TD33	25/02/2019
Richard McLaren	Taxi Driver	Grant - 2/TD364	11/03/2019
Roger Janiak	Taxi Driver	Grant - 3/TD37	12/03/2019
Steven Balmbra	Taxi Driver	Grant - 4/TD45	15/02/2019
Craig Balmbra	Taxi Driver	Grant - 4/TD46	15/02/2019
Kim Hackney	Taxi Driver	Renewal - 2/TD1	15/02/2019
Marek Lipok	Taxi Driver	Renewal - 2/TD27	22/02/2019
John Waite	Taxi Driver	Renewal - 2/TD54	22/02/2019
Paul Gillie	Taxi Driver	Renewal - 2/TD76	15/02/2019

Ronan Zelewski	Taxi Driver	Renewal - 2/TD117	06/03/2019
Steven MacFarlane	Taxi Driver	Renewal - 2/TD311	20/02/2019
Bernadett Huszka	Taxi Driver	Renewal - 2/TD335	15/02/2019
Michael Tetulics	Taxi Driver	Renewal - 2/TD351	06/03/2019
John King	Taxi Driver	Renewal - 3/TD18	14/02/2019
Daniel Krata	Taxi Driver	Renewal - 3/TD27	14/02/2019
Brian Hogg	Taxi Driver	Renewal - 3/TD34	27/02/2019
Adam Hirst	Taxi Driver	Renewal - 3/TD45	14/02/2019
Dominik Kubicki	Taxi Driver	Renewal - 3/TD87	21/02/2019
John Smyth	Taxi Driver	Renewal - 3/TD105	14/02/2019
Agnieszka Kubicka	Taxi Driver	Renewal - 3/TD152	21/02/2019
Allan Ferguson	Taxi Vehicle	Grant - 2/TV20 Grey MG 6 BN16 DLD - 4 Passengers	13/02/2019
Michael Borek	Taxi Vehicle	Grant - 2/TV24 Black Audi A6 WN14 YZA - 4 Passengers	14/02/2019
Remi Marshal (Snr)	Taxi Vehicle	Grant - 2/TV26 Black Vauxhall Zafira KRZ 1140 - 6 Passengers	13/02/2019
Tomasz Hojanski	Taxi Vehicle	Grant - 2/TV83 Blue Ford S-Max WK65 LFT - 6 Passengers	26/02/2019
Kindertons Limited	Taxi Vehicle	Grant - 2/TV117 Black Ford Galaxy DF68 FJY - 6 Passengers	18/02/2019
Alan Cowburgh	Taxi Vehicle	Grant - 2/TV141 Black Citroen C4 Grand Picasso LD65 FLZ - 6 Passengers	07/03/2019
Gordon Crooks	Taxi Vehicle	Grant - 4/TV34 White Hyundai i30 PO13 CXA - 4 Passengers	06/03/2019
Graham Gray	Taxi Vehicle	Renewal - 2/TV46 White Skoda Octavia GM16 TBO - 4 Passengers	14/02/2019
Raymond King	Taxi Vehicle	Renewal - 3/TV07 Seat Toledo NA65 WTG - 4 Passengers	20/02/2019
Shirley Johnston	Taxi Vehicle	Renewal - 3/TV48 Red Peugeot Partner Tepee SF11 NCA - 4 Passengers	26/02/2019
James McKenzie	Taxi Vehicle	Renewal - 3/TV122 Silver Ford Galaxy FD12 DHX - 6 Passengers	18/02/2019
Keith Gibb	Taxi Vehicle	Renewal - 4/TV32 Silver Vauxhall Vivaro Wheelchair Bus BD55 DWG - 8 Passengers	13/02/2019

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