

# Public Document Pack



## CIVIC GOVERNMENT LICENSING COMMITTEE FRIDAY, 17TH DECEMBER, 2021

A MEETING of the CIVIC GOVERNMENT LICENSING COMMITTEE will be held on FRIDAY, 17 DECEMBER 2021 at 11.00 am. The meeting will be conducted remotely via Microsoft Teams in accordance with section 43 of the Local Government (Scotland) Act 1973. Arrangements are in place to stream the meeting for public viewing. A link will be provided on the Council's website before the meeting.

J. J. WILKINSON,  
Clerk to the Council,

10 December 2021

<b>BUSINESS</b>		
1.	<b>Apologies for Absence</b>	
2.	<b>Order of Business</b>	
3.	<b>Declarations of Interest</b>	
4.	<b>Minute</b> (Pages 3 - 4)  Minute of Meeting held on 20 August 2021 to be approved and signed by the Chairman. (Copy attached.)	2 mins
5.	<b>Licences issued under Delegated Powers</b> (Pages 5 - 12) <ul style="list-style-type: none"><li>• 17 September 2021 – 14 October 2021</li><li>• 15 October 2021 – 6 December 2021</li></ul> (Copies attached.)	5 mins
6.	<b>Any Other Items Previously Circulated</b>	
7.	<b>Any Other Items which the Chairman Decides are Urgent</b>	
8.	<b>Items Likely to be Taken in Private</b>  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.”		
9.	<b>Licensing of Taxi, Private Hire Vehicles and Drivers</b>		
	(a) <b>Hearing to Consider renewal of Taxi Driver Licence</b> (Copy application attached.)	(Pages 13 - 14)	
	(b) <b>Hearing to consider request for Revocation of Taxi Driver Licence</b> (Copy reports from Police Scotland and Licensing Standards Enforcement Officer attached.)	(Pages 15 - 72)	30 mins

#### 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.**

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

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**SCOTTISH BORDERS COUNCIL  
CIVIC GOVERNMENT LICENSING COMMITTEE**

MINUTES of Meeting of the CIVIC  
GOVERNMENT LICENSING COMMITTEE  
held via Microsoft Teams on Friday, 20  
August 2021 at 10.30 am

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

Apologies:- Councillors J. Brown, S. Scott, R. Tatler and T. Weatherston

In Attendance:- Managing Solicitor (Property and Licensing), Licensing Standards and Enforcement Officers (M. Wynne, J. Scott and H. Wood), Chief Inspector J. McGuigan, PC Sharon Lackenby, Democratic Services Officers (W. Mohieddeen and F. Henderson)

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1. **MINUTE**

The minute of the meeting held on Friday, 23 July 2021 had been circulated.

**DECISION**

**APPROVED and signed by the Chairman.**

2. **LICENCES ISSUED UNDER DELEGATED POWERS**

For Members' information there had been circulated copies of lists of licences dealt with under delegated powers for the period 15 July 2021 – 6 August 2021.

**DECISION**

**NOTED**

3. **LICENSING OF STREET TRADERS**

3.1 There had been circulated copies of an application for the grant of a Street Traders Licence in respect of Ben's Hot Rolls operating from the Craighurn Layby opposite the Leadburn Woodland on the A703 together with a letter of objection.

3.2 Mr Wynne, Licensing Enforcement Officer advised that the Craighurn layby had been used by a previous catering van for a number of years and no objections or issues had been brought to the Council's attention during that period. The layby was vacant and Mr Ates had applied for and been granted the appropriate permissions from the Roads Department. Mr Wynne went onto explain that the Friends of Leadburn Community Woodland (FLCW) owned the land adjoining the Craighurn lay-by and over the last 15 months the woodland had seen a marked increase in visitors using the layby to enjoy walks in the vicinity. The FLCW had raised concerns with regard to littering from the catering van. Police Scotland had no comments to make on the application.

3.3 On being invited to address the Committee, Mr Ates explained that he intended to serve morning rolls, hot drinks and soft drinks from the catering van and had agreed to provide bins and to clear all litter pertaining to his business each day.

**DECISION**

**APPLICATION GRANTED**

4. **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 14 of part 1 of Schedule 7A to the Act.

**SUMMARY OF PRIVATE BUSINESS**

5. **MINUTE**

The private section of the minute of the meeting held on Friday, 23 July 2021.

**DECISION  
APPROVED**

*The meeting concluded at 10.50 am*

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

**17 September - 14 October 2021**

<b>NAME OF APPLICANT</b>	<b>TYPE OF LICENCE</b>	<b>DETAILS</b>
Outsider Events - Stow Triple	Marches and Parades	Cycle Event - Stow and Surrounding Area Saturday 9 October 2021
Vertish Hill Sports	Marches and Parades	Annual Procession of Children through Town to Childrens Sports - Hawick Saturday 18 September 2021 1.00pm
Edinburgh Road Club	Marches and Parades	Marches and Parades - Cycle Race Sunday 10 October 2021 10.30am-12.30pm and 2.00pm - 4.00pm
Stanley Atkinson	Private Hire Driver	Grant - 1/PD11
Nicholas Gillespie	Private Hire Driver	Renewal - 1/PD7
Stewart Turnbull	Private Hire Driver	Renewal - 1/PD9
Julia Anderson	Private Hire Driver	Renewal - 4/PD3
Kyle Swan	Private Hire Driver	Renewal - 4/PD8
Kenneth Stuart	Public Entertainment	Temporary - Funfair - Lothian Park, Jedburgh Thursday, 7 October 2021 - 6.00pm - 9.30pm, Friday, 8 October 2021 - 6.00pm - 10.00pm, Saturday, 9 October 2021 - 2.00pm - 10.00pm
Kenneth Stuart	Public Entertainment	Temporary - Funfair - Burnfoot, Hawick Thursday, 30 September 2021 - 6.00pm - 9.30pm, Friday, 1 October 2021 - 6.00pm - 10.00pm, Saturday, 2 October 2021 - 2.00pm - 10.00pm
John Allardyce-Lewis	Taxi Driver Licence	Grant - 2/TD31
Alan Torrie	Taxi Driver Licence	Grant - 2/TD58
Emma Bodilly	Taxi Driver Licence	Grant - 4/TD45
Fenwick Cummings	Taxi Driver Licence	Renewal - 1/TD3
Michael Gillie	Taxi Driver Licence	Renewal - 2/TD209
Doreen Brownlee	Taxi Driver Licence	Renewal - 2/TD250
Ben Thomson	Taxi Driver Licence	Renewal - 3/TD31
David Bennett	Taxi Driver Licence	Renewal - 3/TD41
Sean Anderson	Taxi Driver Licence	Renewal - 3/TD108
Adrienne Telford	Taxi Driver Licence	Renewal - 3/TD148

Andrew Rae	Taxi Driver Licence	Renewal - 2/TD11
Edward Conway	Taxi Driver Licence	Renewal - 4/TD11

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

**15 October - 06 December 2021**

<b>NAME OF APPLICANT</b>	<b>TYPE OF LICENCE</b>	<b>DETAILS</b>
Asda Stores Limited	Late Hours Catering Licence	Renewal - Asda, Galashiels Monday to Sunday - 11.00pm - 5.00am
A N Leisure Ltd	Late Hours Catering Licence	Grant - Mario's, Peebles Friday to Saturday 11.00pm - 1.00am
Royal British Legion Scotland (Duns Branch)	Marches and Parades	Remembrance Sunday - Duns Sunday 14 November 2021 - 10.30am
Royal British Legion Galashiels	Marches and Parades	Remembrance Sunday - Galashiels Sunday 14 November 2021 - 12.20pm
Walkerburn And District Community Council	Marches and Parades	Remembrance Sunday - Walkerburn Sunday 14 November 2021
Remembrance Day Committee For The Lord Lt Of Tweedale	Marches and Parades	Remembrance Sunday - Peebles Sunday 14 November 2021
Royal British Legion (Selkirk And Ettrick Forest)	Marches and Parades	Remembrance Sunday - Selkirk Sunday 14 November 2021
Royal British Legion Scotland (Eyemouth)	Marches and Parades	Remembrance Sunday - Eyemouth Sunday 14 November 2021
Lauderdale And Galawater Ex-Service Association	Marches and Parades	Remembrance Sunday - Lauder Sunday 14 November 2021 - 10.30am
Hawick Ex-Service Club	Marches and Parades	Remembrance Sunday - Hawick Sunday 14 November 2021 - 10.30am
Royal British Legion Scotland (Kelso Branch)	Marches and Parades	Remembrance Sunday - Kelso Sunday 14 November 2021
St Boswells Community Council	Marches and Parades	Remembrance Sunday - St Boswells Sunday 14 November 2021 - 10.50am
Royal British Legion Scotland Melrose Branch	Marches and Parades	Remembrance Sunday - Melrose Sunday 14 November 2021

Earlston Parish Church	Marches and Parades	Remembrance Sunday - Earlston Sunday 14 November 2021 - 10.40am
Royal British Legion Scotland (Jedburgh Branch)	Marches and Parades	Remembrance Sunday - Jedburgh Sunday 14 November 2021 - 10.35am
Royal British Legion Scotland (Coldstream)	Marches and Parades	Remembrance Sunday - Coldstream Sunday 14 November 2021 - 10.30am
Innerleithen Civic Association	Marches and Parades	Christmas Parade - Innerleithen Saturday 4 December 2021 - 4.15pm
The Rotary Club of Melrose	Marches and Parades	Santas Sleigh - Gattonside, Darnick, Melrose and Newstead Saturday 4 December 2021 - 5.00pm
Newtown and Eildon Community Council	Marches and Parades	Christmas Parade - Newtown St Boswells Sunday 28 November 2021 5.30pm
Coldstream Community Trust (Coldstream Community Council)	Marches and Parades	Christmas Lights Switch On - Coldstream Sunday 28 November 2021 - 4.00pm
Eyemouth Children's Picnic And Herring Quay	Marches and Parades	Firework Display Parade - Eyemouth Thursday 4 November 2021
Rotary Club Of Galashiels	Market Operator	Temporary - Galashiels Saturday 4 December 2021 - 8.30am - 5.00pm
Jedburgh Seasonal Market	Market Operator	Temporary - The Square, Jedburgh Sunday 28 November 2021 from 11.00am - 2.00pm
Hawick Community Council	Market Operator	Temporary - Oliver Place and Oliver Crescent, Hawick Saturday 4 December 2021 10.00am - 4.00pm
The Abbotsford Trust	Market Operator	Temporary - Abbotsford House, Melrose Saturday 21 Sunday 22 November 2021 Saturday 27 and Sunday 28 November 2021
Oxton And Channelkirk Community Council	Market Operator	Temporary - Oxton Village Hall Sunday 5 December 2021 - 5pm to 8pm
Peebles Christmas Lights Association	Market Operator	Temporary - High Street, Peebles Sunday 28 November 2021 - 3.00pm till 7.00pm
Hawick Community Council	Public Charitable	Street Collections - Hawick High Street Saturday 3 December 2021
Peebles And District Round Table	Public Charitable	House to House (Santas Sleigh) - Peebles, Innerleithen, Walkerburn, Cardrona and Eddleston Weeks Ending - 27 November, 4, 11, 18 December 2021



Borders Water Rescue Team	Public Charitable	Street Collections - Kelso Town Centre Weeks Ending 12 and 19 December 2021
The Rotary Club Of Galashiels And District	Public Charitable	House to House (Santas Sleigh) - Market Square, Town Centre, Balmoral, Langlee and Melrose Gait, Galashiels Weeks Ending - 4 and 11 December 2021
Tweedbank Primary School Parent Council	Public Charitable	House to House (Santas Sleigh) - Tweedbank Thursday 2 December 2021
The Rotary Club Of Duns	Public Charitable	Street Collections - Market Square and Co-op Car Park, Duns Saturday 4 December 2021
Jed Hearts Here	Public Charitable	Street Collections - Jedburgh Town Centre Saturday 28 November 2021
Think Fitness 4 Less	Public Entertainment	Grant - 1 Year Commercial - Think Fitness 4 Less, Hawick Sunday to Saturday - 6.00am - 10.00pm every day Gym - personal training, indoor cycling classes, tanning, sauna
Broughton Village Hall	Public Entertainment	Renewal - 3 Year - Broughton Village Hall Sunday to Thursday 9.00am - 12.00midnight Friday and Saturday 9.00am - 1.00am
Albert Reid	Public Entertainment	Temporary - Funfair - Peebles Christmas Lights Sunday 28 November 2021 2.00pm - 6.00pm
Kenneth Stuart	Public Entertainment	Temporary - Funfair - High Street, Selkirk - Christmas Lights Switch-On Saturday 4 December 2021 - 10.00am - 7.00pm
Kenneth Stuart	Public Entertainment	Temporary - Funfair - The Square, Kelso Saturday 27 November 2021 - 1.00pm - 9.00pm
Kenneth Stuart	Public Entertainment	Temporary - Funfair - Denholm Green - Fireworks Friday 5 November 2021 - 5.30pm - 9.30pm
Kenneth Stuart	Public Entertainment	Temporary - Funfair - Victoria Park, Peebles Saturday 6 November 2021 - 6.00pm - 9.00pm
Martin Slater	Public Entertainment	Temporary - Funfair - Springwood Park, Kelso Friday 5 November 2021 5.00pm - 8.00pm
Martin Slater	Public Entertainment	Temporary - Funfair - Co-op Car Park, Eyemouth Thursday 4 November 2021 5.00pm - 10.00pm
Borders Book Festival	Public Entertainment	Temporary - Borders Book Festival, Abbotsford House Tuesday 2November to Sunday 7 November 2021 - 10.00am - 10.00pm

Colin Turnbull	Public Entertainment	Temporary - Fireworks Display, Innerleithen Friday 5 November 2021 - 7.00pm - 8.00pm
Eric Robertson	Private Hire Vehicle	Grant - 1/PV7 - Blue Mitsubishi - RE10 VER - 4 Passengers
Eric Robertson	Private Hire Vehicle	Grant - 1/PV42 - Silver Mercedes Benz - SF69 WOD - 8 Passengers
Eric Robertson	Private Hire Vehicle	Grant - 1/PV56 - Silver Seat Alhambra - LT69 EKN - 6 Passengers
Christopher Weir	Private Hire Vehicle	Grant - 2/PV14 - Silver Ford C-Max - DS66 EHD - 4 Passengers
J And J Taxi's	Private Hire Vehicle	Renewal - 1/PV1 - Black Seat Toledo - PY18 FMG - 4 Passengers
Eric Robertson	Private Hire Vehicle	Renewal - 1/PV40 - Grey Volkswagen Golf - SN18 YCE - 4 Passengers
Graeme Geddes	Private Hire Vehicle	Renewal - 1/PV53 - Black Toyota Auris - MF68 OFJ - 4 Passengers
Marlene Simpson	Private Hire Vehicle	Renewal - 1 Year - 1/PV50 - White Vauxhall Movano - GU56 HVR - 8 Passengers
Deborah Croall	Skin Piercing/Tattoo	Renewal - Zing Health And Beauty, Duns Monday 9.00am - 4.00pm, Tuesday 9.00am - 6.00pm and Thursday 12.00noon - 9.00pm Skin Piercing and Electrolysis
Colin Bradley	Small Lotteries	Grant - Earlston Civic Week Organising Committee
Gilly Peakman	Small Lotteries	Grant - Eyemouth United Congregational Church
Frances Little	Small Lotteries	Grant - Friends of St Mary's School
Kirsty Irving	Small Lotteries	Grant - Friends of Yarrow Primary School
Janet Thomas	Small Lotteries	Grant - Lauder Christmas Lights Festival
Tracy Hastie	Small Lotteries	Grant - Morebattle Primary Parent Council
The Bowls Hall	Small Lotteries	Grant - Tweedbank Indoor Bowling Club
Alan Thompson	Small Lotteries	Renewal - Duns Junior Football Club
William Robson	Small Lotteries	Renewal - Laidlaw Memorial Pool
Re. Fr. Robert Afayori	Small Lotteries	Renewal - Our Lady and St Margarets RC Church
Lorna McCullough	Small Lotteries	Renewal - The Bridge
Darren Sharp	Street Trader Temporary	Temporary - 6 Weeks - 4 November to 16 December 2021 Events throughout SBC Area Sale of Children's glow in dark novelties, helium balloons, toys, fancy goods
Adam Wood	Taxi Driver Licence	Grant - 3/TD48
Stuart Cameron	Taxi Driver Licence	Renewal - 1/TD23
Paul McDowell	Taxi Driver Licence	Renewal - 2/TD3
James McNulty	Taxi Driver Licence	Renewal - 2/TD8
Nichol Wylie	Taxi Driver Licence	Renewal - 2/TD25

Edward Moffat	Taxi Driver Licence	Renewal - 2/TD26
Lukasz Kriese	Taxi Driver Licence	Renewal - 2/TD32
Keith Gerrard	Taxi Driver Licence	Renewal - 2/TD34
George Low	Taxi Driver Licence	Renewal - 2/TD41
Rhona Skene	Taxi Driver Licence	Renewal - 2/TD56
Jakub Kuchciak	Taxi Driver Licence	Renewal - 2/TD78
Philip Turnbull	Taxi Driver Licence	Renewal - 2/TD239
Michael Hanlon	Taxi Driver Licence	Renewal - 2/TD248
Simon Gibson	Taxi Driver Licence	Renewal - 2/TD360
Steven McCudden	Taxi Driver Licence	Renewal - 2/TD391
Ian Tait	Taxi Driver Licence	Renewal - 2/TD392
Pamela Thomson	Taxi Driver Licence	Renewal - 3/TD3
Jason Robson	Taxi Driver Licence	Renewal - 3/TD17
Brian Lyle	Taxi Driver Licence	Renewal - 3/TD26
George Shepherd	Taxi Driver Licence	Renewal - 3/TD30
Stewart Logan	Taxi Driver Licence	Renewal - 3/TD67
Malcolm Baxter	Taxi Driver Licence	Renewal - 3/TD72
Neil MacAskill	Taxi Driver Licence	Renewal - 3/TD80
Ronald Paterson	Taxi Driver Licence	Renewal - 3/TD83
Thomas Liddell	Taxi Driver Licence	Renewal - 3/TD84
David McLean	Taxi Driver Licence	Renewal - 3/TD86
James McKenzie	Taxi Driver Licence	Renewal - 3/TD96
Gordon Crooks	Taxi Driver Licence	Renewal - 4/TD9
Thomas Fraser	Taxi Driver Licence	Renewal - 4/TD15
Keith Bisset	Taxi Driver Licence	Renewal - 4/TD29
Alan Thomson	Taxi Driver Licence	Renewal - 4/TD36
Robert Malcolm	Taxi Driver Licence	Renewal - 4/TD44
Keith Muckersie	Taxi Driver Licence	Renewal - 4/TD56
Stuart Cameron	Taxi Vehicle Licence	Grant - 1/TV14 - Red Nisan Qashquai - NA15 BTF - 4 Passengers
Neil Mitchinson	Taxi Vehicle Licence	Grant - 2/TV85 - Black Skoda Superb - SM68 DTY - 4 Passengers
Christopher Spain	Taxi Vehicle Licence	Grant - 3/TV39 - Silver Ford Mondeo - T70 BCC - 4 Passengers
Patricia Graham	Taxi Vehicle Licence	Grant - 3/TV45 - Grey Vauxhall Insignia - KU66 XWA - 4 Passengers
Neil Mitchinson	Taxi Vehicle Licence	Material Change - 2/TV85 - Change of Registration to NE12 CAB

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