

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, 20 May 2016
2016 at 11.00 a.m.

Present:- Councillors W. Archibald, J. Campbell, J. Greenwell, G. Logan, D. Paterson,
T. Weatherston.
Apologies:- Councillor B. Herd, R. Stewart, J. Torrance, B. White.
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), P.C. C. Lackenby, P.C.
P. Robertson, Inspector M. Bennett - Police Scotland.

1. **MINUTE**

The Minute of the Meeting of 22 April 2016 had been circulated.

DECISION

APPROVED and signed by the Chairman.

2. **LICENCES ISSUED UNDER DELEGATED POWERS**

There had been circulated copies of lists detailing the Civic Government and
Miscellaneous Licences issued under delegated powers between 14 April – 11 May 2016.

DECISION

NOTED.

LICENSING OF TAXI, PRIVATE HIRE VEHICLES AND DRIVERS – GLEN STEELE

3. There had been circulated copies of an application submitted by Mr Glen Steele for the
grant of a Taxi Driver Licence together with a letter of objection dated 18 April 2016
received from Police Scotland. Mr Steele was present at the meeting.

4. Inspector Bennett confirmed the information provided in the Police objection that Mr
Steele had submitted an application for the grant of a Taxi Driver Licence to Scottish
Borders Council. Mr Steele had three convictions, which he had declared on his
application. Inspector Bennett reported that the conviction on 14 August 2010 related to
Mr Steele being issued with a fixed penalty ticket after shouting and swearing in Wilton
Lodge Park, Hawick. On 31 October 2010 Mr Steele was charged with a Breach of the
peace after shouting a racist comment at a group of people after an argument and on 1
January 2014 Mr Steele was issued with another fixed penalty ticket for Breach of the
peace after a family dispute in Hawick. In light of these convictions the Police were of the
opinion that Mr Steele was not a fit and proper person to be the holder of a Taxi Driver
Licence, in terms of Schedule 1, paragraph 5(3)(a)(ii) of the Civic Government (Scotland)
Act 1982.

5. On being invited to address the Committee, Mr Steele explained that the conviction in
August 2010 had been when he had been drinking alcohol in the Wilton Park with his
friends, the Police had arrived and poured the alcohol away and he had shouted and
sworn at them. In terms of the incident in October 2010, Mr Steele advised that had been
with a friend who had a problem with the person Mr Steele had been convicted of
shouting at, however Mr Steele had no recollection of shouting. The incident on 1

January 2014 occurred on New Year's Day when Mr Steele had had a disagreement with his father. The Members raised concerns with regard to the nature of Mr Steele's recurrent misbehaviour and in particular the racial element involved in one, although there was some consideration in relation to granting a licence for a shorter period.

VOTE

Councillor Weatherston, seconded by Councillor Logan, moved that the application be refused.

Councillor Paterson, seconded by Councillor Campbell moved as an amendment that the application be granted for a period of 6 months.

On a show of hands Members voted as follows:

Motion - 4 votes

Amendment - 2 votes

The application was accordingly refused.

DECISION

REFUSED to grant a Taxi Driver Licence to Glen Steele on the grounds that he was not fit and proper due to the recurrent nature of his previous convictions.

SUMMARY OF PRIVATE BUSINESS

1. **APPLICATION FOR GRANT OF ITINERANT METAL DEALER LICENCE – BRIAN HUNTER**

DECISION

AGREED to defer the matter to a future meeting.

2. **STREET TRADER LICENCE – ROSEANN FINN**

DECISION

AGREED not to grant the request for suspension.

3. **TAXI DRIVER LICENCE – JOHN ADAM**

DECISION

AGREED that additional medical information was required within 14 days otherwise the matter would be deferred to a future hearing.

4. **TAXI DRIVER LICENCE – ALEXANDER LINTON**

AGREED that additional medical information was required within 14 days otherwise the matter would be deferred to a future hearing.

MINUTE

5. The Private section of the Minute of 22 April 2016 had been circulated.

The meeting concluded at 12.25 p.m.