

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 March 2019 at 10.30 a.m.

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

Apologies:- Councillors D. Paterson, R. Tatler, T. Weatherston

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

1.0 **MINUTE**

The Minute of the Meeting of 22 February 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 13 February 2019 and 12 March 2019.

DECISION

NOTED.

3.0 **HOUSING (SCOTLAND) ACT 2014: LICENSING OF RESIDENTIAL CARAVAN SITES**

Mr Kirk explained that a report would be considered at the Council Meeting on 28 March 2019, which recommended that the Council agree to charge a fee of £600 in respect of processing first site licence applications and for a licence renewal for caravan sites with permanent residents with immediate effect. The report was to consider fees for caravan sites following changes to legislation with respect to a licensing system for mobile home sites with permanent residents. The Caravan Site and Control of Development Act 1960 ("the 1960 Act") required those wishing to use land as a caravan site to be licensed. Previous caravan site licences were granted in perpetuity and under the new system a site licence for sites with permanent residents runs for five years from the date the licence comes into operation. The local authority must renew the licence if planning permission was in place and the licence holder passes the fit and proper person test. Holiday sites were unaffected and remained in perpetuity or until planning permission expired. It was a function of the Council's Civic Government Licensing Committee to licence such sites. Scottish Government research found residents and local authorities had experienced problems with maintenance, security and safety standards on sites and issues around intimidation, abusive behaviour, vandalism and violence or damage to property. A new licensing system for mobile homes in terms of the 2014 Act commenced on 1 May 2017 and Holders of a current licence under the 1960 Act would require to apply for a new licence by 1 May 2019.

DECISION

NOTED the terms of the report.

**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 LICENSING OF TAXI, PRIVATE HIRE VEHICLES AND DRIVERS
Hearings to consider grant of Taxi Driver Licences**

There had been circulated copies of an application for the grant of a Taxi Driver Licence together with a letter of representation dated 18 February 2019 from Police Scotland. The Applicant was present at the meeting. After hearing both parties, the Committee agreed that the Taxi Driver Licence be granted.

- 6.0 There had been circulated copies of an application for the grant of a Taxi Driver Licence together with a letter of objection dated 1 March 2019 from Police Scotland. Although cited to attend, the Applicant had contacted licensing officers and had asked if consideration of his application could be continued to the next meeting in order to give him the opportunity to obtain legal representation. The Committee agreed that the application for the grant of a Taxi Driver Licence be continued to the next meeting to allow the applicant the opportunity to obtain legal representation.

7.0 REGISTRATION OF PRIVATE SECTOR LANDLORDS

With reference to paragraph 7 of the Minute of 22 February 2019, there had been circulated copies of an updated report by the Service Director Regulatory Services together with a copy of the Police Disclosure and further written information received from the Applicants Agent, Murray Beith and Murray. The Applicant was present at the meeting together with his solicitor. After hearing both parties, the Committee agreed that the registration be granted.

8.0 LICENSING OF DOG BREEDERS

There had been circulated copies of an application for the Renewal of a Dog Breeding Licence together with a letter of representation dated 29 November 2018 from Police Scotland, a report from a Veterinary Surgeon, a report from the Principal Animal Control Officer and a timeline of events. The Applicant was present at the meeting together with her Son. The Applicant advised the Committee that she wished to withdraw her application.

9.0 MINUTE

The Private section of the Minute of 22 February 2019 was approved.

The meeting concluded at 11.20 a.m.