

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, 21 August, 2015
at 10.30 a.m.

Present:- Councillors W. Archibald, J. Campbell, G. Edgar, J. Greenwell, B. Herd,
G. Logan, D. Paterson, R. Stewart, J. Torrance, T. Weatherston and B White.

In Attendance:- Solicitor (R. Kirk), Licensing Team Leader, Democratic Services Officer (F
Henderson), P.C. C. Lackenby, Inspector K. Bendall - Police Scotland.

1. **MINUTE**
The Minute of the Meeting of 24 July 2015 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 July 2015 and 12
August 2015.

DECISION
NOTED

3. **LICENSING OF TAXI, PRIVATE HIRE VEHICLES AND DRIVERS**
There had been circulated copies of an application submitted by Mr Ian Gordon McClure
for the renewal of a Taxi Driver Licence together with a letter of objection dated 27 July
2015 received from Police Scotland. Members were made aware that Mr McClure had
intimated he wished to withdraw his application.

DECISION
NOTED that the application had been withdrawn.

4. **LICENSING OF STREET TRADERS**
There had been circulated copies of an application submitted by Mark Crick for the Grant
of a Street Trader Licence received on 26 February 2015. Mr Crick was not in
attendance despite having been cited to the meeting. Members were advised that
attempts by officers to make contact with Mr Crick to progress his application had been
unsuccessful therefore the required vehicle checks could not be carried out.

DECISION
AGREED that the application be treated as withdrawn.

STREET TRADER EMPLOYEE LICENCE

5. There had been circulated copies of an application submitted by Mr Brian Little for the Grant of a Street Trader Employee Licence together with an information letter dated 30 June 2015 received from Police Scotland which advised that having carried out the necessary background checks, it was revealed that Mr Little had been convicted of theft in 2012, which he had not declared. Mr Little was present at the meeting.
- 5.1 Inspector Bendall advised of the circumstances leading to the conviction that on 2 January 2012, Mr Little was informed that his Uncle was unwell and had been admitted to hospital in Inverness. He travelled to Inverness, however his Uncle had died before he had arrived and he found his Aunt had been admitted to hospital as she was unable to fend for herself. Mr Little had stayed at his Aunt's home address for approximately two weeks while he organised his uncle's funeral and residential care for his Aunt. While at the house Mr Little had found his Aunt's bankcard and PIN number. During the period 12 January 2012 and 8 March 2012, Mr Little had used his Aunt's bankcard to withdraw £3,100.00 from her bank account at Automatic Telling Machines (ATM's) in Inverness and Hawick. His Aunt had been made aware of this and the bank stopped the card. On 8 March 2012 Mr Little had attempted to withdraw money from the ATM in Hawick a further four times. Mr Little was identified as having access to the bankcard and PIN number and was detained by Police Officers and interviewed when he admitted taking the bankcard and withdrawing money as aforementioned. He stated that he used the money for the benefit of his Aunt. Mr Little was charged with Theft by opening a lockfast (ATM) x 6 and attempting to Open Lockfast Place with intent to steal and received a Community payback order (90 hours unpaid work) and was required to pay a £1,650.00 compensation order.
- 5.2 On being invited to address the Committee Mr Little confirmed that he had taken some of the money withdrawn from the account and the remainder had been used to purchase items for his Aunt and pay her home removal expenses. Mr Little further advised that he was in the process of repaying the money to his Aunt. Members raised concerns in relation to Mr Little's actions of gross dishonesty involving a vulnerable family member. Councillor Edgar, seconded by Councillor Weatherston moved that the application for a Street Trader Employee Licence submitted by Mr Brian Little be refused on the grounds that he was not a fit and proper person by his actions leading to convictions for theft.

DECISION

AGREED that the application for a Street Trader Employee Licence submitted by Mr Brian Little be refused.

SUMMARY OF PRIVATE BUSINESS

MINUTE

1. The private section of the Minute of 24 July 2015 was approved.

The meeting concluded at 11.45 am