

Minute

Licensing Committee

Thursday, 22 August 2019, 11:00.

Council Chamber, Council Offices, School Place, Kirkwall.



Present

Councillors Duncan A Tullock, Barbara Foulkes, Alexander G Cowie, Norman R Craigie, Robin W Crichton, Steven B Heddle and J Harvey Johnston.

Clerk

- Hazel Flett, Senior Committees Officer.

In Attendance

- David Brown, Environmental Health Manager.
- Gavin Mitchell, Head of Legal Services.
- Elaine Sinclair, Legal Clerk.

Police Scotland:

- Sergeant Richard Morris (for Items 1 to 5).

Apology

- Councillor Owen Tierney.

Declaration of Interest

- Councillor Robin W Crichton – Items 4, 5 and 6.

Chair

- Councillor Duncan A Tullock.

1. Disclosure of Exempt Information

The Committee noted the proposal that the public be excluded from the meeting for consideration of Items 4 to 6, as the business to be discussed involved the potential disclosure of exempt information of the classes described in the relevant paragraphs of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

2. Civic and Miscellaneous Licensing – Functions Report

After consideration of a report by the Executive Director of Corporate Services, copies of which had been circulated, and after hearing a report from the Head of Legal Services, the Committee:

Noted the report in relation to the exercise of the Council's functions in terms of the Theatres Act 1968, the Civic Government (Scotland) Act 1982 and the Cinemas Act 1985, for the period 1 July 2018 to 30 June 2019, attached as Appendix 1 to the report by the Executive Director of Corporate Services.

3. Exclusion of Public

On the motion of Councillor Duncan A Tullock, seconded by Councillor Barbara Foulkes, the Committee resolved that the public be excluded for the remainder of the meeting, as the business to be considered involved the disclosure of exempt information of the classes described in the relevant paragraphs of Part 1 of Schedule 7A of the Local Government (Scotland) Act 1973 as amended.

4. Application for Grant of Taxi Driver's Licence

Councillor Robin W Crichton declared a non-financial interest in this item, being the holder of a taxi driver's licence, but concluded that his interest did not preclude his involvement in the discussion.

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraphs 6 and 14 of Part 1 of Schedule 7A of the Act.

After consideration of a report by the Executive Director of Corporate Services, copies of which had been circulated, and after hearing a report from the Head of Legal Services, the Committee:

Resolved, in terms of delegated powers, what action should be taken with regard to an application for grant of a taxi driver's licence.

The above constitutes the summary of the Minute in terms of the Local Government (Scotland) Act 1973 section 50C(2) as amended by the Local Government (Access to Information) Act 1985.

5. Application for Grant of Taxi Driver's Licence

Councillor Robin W Crichton declared a non-financial interest in this item, being the holder of a taxi driver's licence, but concluded that his interest did not preclude his involvement in the discussion.

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraphs 6 and 14 of Part 1 of Schedule 7A of the Act.

After consideration of a report by the Executive Director of Corporate Services, copies of which had been circulated, and after hearing a report from the Head of Legal Services, the Committee:

Resolved, in terms of delegated powers, what action should be taken with regard to an application for grant of a taxi driver's licence.

The above constitutes the summary of the Minute in terms of the Local Government (Scotland) Act 1973 section 50C(2) as amended by the Local Government (Access to Information) Act 1985.

6. Application for Licence for House in Multiple Occupation

Councillor Robin W Crichton declared a non-financial interest in this item, in that he had previously discussed the application with the objector, and was not present during discussion thereof.

Under section 50A(4) of the Local Government (Scotland) Act 1973, the public had been excluded from the meeting for this item on the grounds that it involved the disclosure of exempt information as defined in paragraph 6 of Part 1 of Schedule 7A of the Act.

After consideration of a joint report by the Executive Director of Corporate Services and the Executive Director of Development and Infrastructure, copies of which had been circulated, and after hearing a report from the Head of Legal Services, the Committee:

Resolved, in terms of delegated powers, what action should be taken with regard to an application for a licence for a house in multiple occupation.

The above constitutes the summary of the Minute in terms of the Local Government (Scotland) Act 1973 section 50C(2) as amended by the Local Government (Access to Information) Act 1985.

7. Conclusion of Meeting

At 11:40 the Chair declared the meeting concluded.

Signed: Duncan A Tullock.