



**MINUTES OF THE MEETING OF THE  
LICENSING SUB-COMMITTEE OF THE CABINET**

**THURSDAY 10 OCTOBER 2013  
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

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**Committee Members Present:**

Councillor J McNeil (Chair)  
Councillor J Caldwell  
Councillor D Grant  
Councillor J Williamson  
Councillor F McAllister

**Council Officials Present:**

Mr I Forrest, Legal Adviser  
Ms M Winter, Licensing Administration Assistant

**Others Present**

PC H Bowsher, Police Scotland  
Insp A Harborow, Police Scotland

**Clerk:**

Mrs F Stewart, Committees Assistant

**Apologies:**

Councillor J McMillan

**Declarations of Interest:**

None

## **1. LICENSING OF SECOND HAND DEALERS AND WINDOW CLEANERS**

The Depute Chief Executive, Resources and People Services, had submitted a report to advise the Sub-Committee of the proposed terms of the resolutions being proposed for public consultation regarding the licensing of window cleaners and second hand dealers.

The Chair advised that the Council had received a letter from Police Scotland dated 30 May 2013 requesting that the Council make resolutions to license these activities.

The Legal Adviser presented the report and explained that, at present, both these activities were deemed to be optional in terms of the Civic Government (Scotland) Act and only require a licence if a Local Authority makes a resolution to that effect. He advised that the Sub-Committee had agreed to the request made by Police Scotland at their meeting on 13 June 2013 and authorised the Licensing division to produce initial drafts of the proposed resolutions. This process had now been completed and the proposed resolutions were attached to the report. The Legal Adviser stated that, should the Sub-Committee decide to approve the wording of the resolutions, they would be advertised in the local press, giving members of the public 28 days within which to submit representations. The new licensing regime would not come into effect for a period of nine months after the date of the adoption of the resolution.

The Police Inspector stated that this proposal had been driven by local Police Officers and advised that Midlothian, West Lothian and City of Edinburgh Councils had already introduced licensing for second hand dealers and window cleaners. He also reported that there had been two examples recently where such licensing controls had led directly to arrests for housebreaking.

Members discussed the merits of the proposals and sought further information from the Police Inspector.

Following the discussion, the Chair concluded that Members were in favour of the resolutions proceeding to public consultation and considered that the new licensing regime, if adopted, would assist the Police in making East Lothian a safer place.

### **Decision**

The Sub-Committee agreed:

- i. to approve the terms of the draft resolutions attached to the report and to authorise the Corporate Legal Advisor and such staff as she may appoint, to proceed with the process of advertising the drafts in the local press; and
- ii. to accept a further report following the public consultation period and make a final determination on the proposals in the light of any public representations received.

## **SUMMARY OF PROCEEDINGS – EXEMPT INFORMATION**

The Licensing Sub-Committee unanimously agreed to exclude the public from the following business containing exempt information by virtue of Paragraph 6 (information concerning the financial or business affairs of any particular person other than the Authority) of Schedule 7A to the Local Government (Scotland) Act 1973.

### **1. Applications for Grant of Taxi/Private Hire Car Driver's Licence**

The Sub-Committee had received one application for grant of a licence. The applicant did not attend the Hearing and the application was continued.

### **2. Applications for Renewal of Taxi/Private Hire Car Driver's Licence**

The Sub-Committee considered two applications for renewal of a licence and both were agreed.