



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

**THURSDAY 11 SEPTEMBER 2014
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

Committee Members Present:

Councillor J McNeil (Chair)
Councillor D Grant
Councillor J Caldwell
Councillor J McMillan
Councillor John Williamson

Council Officials Present:

Ms C Molloy, Legal Adviser
Mrs K MacNeill, Service Manager – Licensing, Administration and Democratic Services
Ms D Richardson, Licensing Administration Officer

Others Present

Insp A Harborow, Police Scotland
PC Bowsher, Police Scotland

Clerk:

Mrs F Stewart, Committees Assistant

Apologies:

Councillor F McAllister

Declarations of Interest:

None

PUBLIC

1. LICENSING OF WINDOW CLEANERS AND SECOND HAND DEALERS

The Depute Chief Executive, Resources and People Services, had submitted a report to advise the Sub-Committee of the final confirmed conditions that shall apply to the licensing of window cleaners and second hand dealers.

The Legal adviser stated that, following a request from Police Scotland and a subsequent public consultation process in late 2013, the Sub-Committee had formally approved resolutions in respect of the licensing of window cleaners and second hand dealers at their meeting on 12 December 2013. Standard conditions for the new licences were produced and these were approved by the Sub-Committee on 12 June 2014, subject to an alteration to Condition 7 of the licences which stated that the licence holder shall comply with any instruction given by a Police Officer 'in uniform'. This condition had been amended to "Police Officers 'in the course of their duties' ".

The Legal Adviser advised that the Police had suggested further Conditions in respect of Second Hand Dealers, relating to premises being equipped with CCTV cameras and the obtaining of photographic proof of identity of customers. After due consideration, it was now proposed that these suggestions were not adopted at this time due to practicality of enforcement of such conditions.

The new licences for these activities would come into effect on 15 September 2014, the fee structure having been approved at the meeting on 12 June 2014. Application forms and guidance material had been prepared and a press release would be issued alerting members of the public to the new licences coming into effect.

Councillor Caldwell referred to Condition 1 of the Window Cleaners licence which states that the licence holder must at all times, while engaged in the business of window cleaning, display the identity card issued by the Council. He sought clarification on this point and the Legal Adviser confirmed that the identity badge must be worn by licence holders to allow any law enforcement offers to check the identity of a window cleaner.

The Chair was pleased to grant Police Scotland's request to introduce these licences in order to make East Lothian a safer place.

Decision

The Sub-Committee agreed the proposed licence conditions for window cleaners and second hand dealers as outlined in the report.

2. AIR WEAPONS AND LICENSING (SCOTLAND) BILL

The Service Manager, Licensing, Administration and Democratic Services, had submitted a report to inform the Licensing Sub-Committee of the proposed changes to the Civic Government (Scotland) Act 1982 contained within the Air Weapons and Licensing (Scotland) Bill.

The Legal Adviser presented the report and advised that the Air Weapons and Licensing (Scotland) Bill had been introduced in the Scottish Parliament on 14 May

2014. It was anticipated that it would take approximately one year to progress and was expected to become law in 2016. Meanwhile, consultation questions (Appendix 1) had been published and responses were required by Monday 29 September 2014. The Sub-Committee would receive reports on the progress of the Bill as it goes through Parliament.

Decision

The Sub-Committee agreed to note the report and to delegate authority to the Service Manager, Licensing, Administration and Democratic Services, to respond to the consultation on behalf of the Sub-Committee.

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.

3. APPLICATIONS FOR GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE

The Sub-Committee had received four applications for a licence; one was granted and three were refused

4. APPLICATION FOR RENEWAL OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE

The Sub-Committee had received four applications for a licence; three were agreed and one was refused.