



**MINUTES OF MEETING of the REGULATORY COMMITTEE held in the COUNCIL
CHAMBER, KILNCRAIGS, ALLOA on TUESDAY 21 NOVEMBER 2023 at 9.30 AM**

PRESENT

Councillor Darren Lee (Chair)
Councillor Martha Benny
Councillor Kenneth Earle
Councillor Phil Fairlie
Councillor Wendy Hamilton
Councillor Scott Harrison
Councillor Kathleen Martin

IN ATTENDANCE

Paul Fair, Civic Licensing Standards Officer
Shaun Carroll, Licensing Paralegal, Legal and Governance
Lezli-Anne Sharp, Licensing Paralegal Administrator
Lee Robertson, Senior Manager, Legal and Governance (on Teams)
Dale Bell, Solicitor, Legal and Governance (Clerk to the Committee)
Sergeant Malcolm O May, Police Scotland
Gillian White, Committee Services, Legal and Governance
Melanie Moore, Committee Services, Legal and Governance

RC(23)16 APOLOGIES

Apologies for absence were received from Councillor Jane McTaggart.

RC(23)17 DECLARATIONS OF INTERESTS

None.

The Chair advised that he wished to amend the running order of items on the agenda. The Agenda items would re-ordered as follows: Item 1, 2, 4a, 4b, 3 and 5.

EXEMPT ITEM

The Committee resolved in terms of Section 50A of the Local Government (Scotland) Act, 1973, that the press and public be excluded from the meeting during consideration of the undernoted item of business on the grounds that they involved the likely disclosure of exempt information as detailed in Schedule 7A, Part 1, Paragraphs 3, and 6.

**RC(23)18 MINUTES OF REGULATORY COMMITTEE – 30 MAY 2023 AND 15
AUGUST 2023**

The minutes of the meeting of the Regulatory Committee held on Tuesday 30 May 2023 and Tuesday 15 August 2023 were submitted for approval.

Decision

The minutes of the meeting of the Regulatory Committee held on Tuesday 30 May 2023 and Tuesday 15 August 2023 were agreed as a correct record and signed by the Chair.

NON EXEMPT ITEM

RC(23)19 STREET TRADER LICENSING – RESOLUTION VARIATION

The Civic Government (Scotland) Act 1982 (the “1982 Act”), at Section 9 sets out that a Licensing Authority may resolve to licence the activity of Street Trading.

Clackmannanshire Council first resolved to licence such activity in the late 1980’s.

Since the initial resolution records show that the licence conditions have been amended, but the general nature of the resolution has not changed.

The proposed variation to the resolution would simplify the rules in Clackmannanshire in relation to street trading at licensed public entertainment events, and would place a responsibility on the holder of a public entertainment licence to manage traders and notify the Council in advance of their attendance.

The report, submitted by the Civic Licensing Standards Officer, sought Committee approval to vary the existing resolution relating to Street Trader licensing, and adopt the wording for that variation as detailed in Appendix A to the report. The report also sought Committee approval for the Licence Standard Conditions – Street Traders as detailed in appendix B to the report.

Motion

To agree the recommendations as set out in the report.

Moved by Councillor Kenneth Earle. Seconded by Councillor Martha Benny.

Decision

The Committee agreed to:

1. Approve the variation to the existing resolution relating to Street Trader Licensing, and adopts the wording for that variation as detailed in Appendix A of the report; and
2. Approve the Licensing Standards Conditions – Street Traders as detailed in Appendix B of the report.

Action

Clerk to the Committee

EXEMPT ITEM

The Committee resolved in terms of Section 50A of the Local Government (Scotland) Act, 1973, that the press and public be excluded from the meeting during consideration of the following items of business on the grounds that they involved the likely disclosure of exempt information as detailed in Schedule 7A, Part 1, Paragraphs 3, and 6.

RC(23)20 APPLICATION FOR THE RENEWAL OF A TAXI OPERATORS AND A TAXI DRIVERS LICENCE

The Licensing Authority had received an application for the renewal of a Taxi Operators and a Taxi Driver Licence. Representations on the application had been received from the Civic Licensing Standards Officer (CLSO).

Attending

Mr Michael Eccles, Applicant
Mr Paul Fair, Civic Licensing Standards Officer (CLSO)
Sergeant Malcolm O May, Police Scotland

The Committee were asked to consider all the information before them and having done so to determine whether to grant the licence; grant the licence subject to local conditions; or refuse the application.

The Committee heard representation from the Civic Licensing Standards Officer (CLSO), Police Scotland and the applicant and had the opportunity to put questions to all.

Motion

Having considered all of the information presented to it and having had the opportunity for questions that the Committee grants the application for Taxi Operators and Taxi Drivers Licences.

Moved by Councillor Kenneth Earle. Seconded by Councillor Martha Benny.

Decision

Having considered all of the information presented to it and having had the opportunity for questions, the Committee agreed unanimously to grant the application for Taxi Operators and Taxi Drivers Licences.

Action

Clerk to the Committee

Ends 10.05 am

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