

# Minute of Meeting



## General Purposes Committee

Date	Time	Venue
25 February 2020	10.00 am	Council Chamber, Midlothian House, Buccleuch Street, Dalkeith

### Present:

Councillor Smaill (Chair)	Councillor Alexander
Councillor Cassidy	Councillor Curran
Councillor Hackett (up to Item No.5.2)	Councillor Hardie
Councillor Imrie (from 10.07 am)	Councillor Johnstone
Councillor Lay-Douglas	Councillor McCall
Councillor Milligan	Councillor Muirhead
Councillor Munro	Councillor Parry
Councillor Russell	Councillor Winchester

### In attendance:

Alan Turpie, Legal Services Manager	Verona MacDonald, Democratic Services Team Leader
Inspector J. Morrison, Police Scotland	Inspector Alan Struthers, Police Scotland

### 1. Apologies

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Apologies for absence were received on behalf of Councillors Baird and Wallace.

### 2. Order of Business

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The order of business was as set out on the Agenda.

### 3. Declarations of interest

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Councillor Curran indicated he would be declaring an interest in the applications on the agenda relating to private hire and taxis on the basis of his business interests in the taxi trade. Councillor Cassidy advised he would be declaring an interest in the application for a licence for a house in multiple occupation on the basis of his past connection with the property and Councillor Russell in relation to the same application advised she would be declaring an interest because she was a member of an organisation which had lodged an objection.

**Sederunt: Prior to the next item, Councillor Imrie entered the meeting**

### 4. Minute of Previous Meeting

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Following consideration, the full Minute of the Meeting held on 19 November 2019 was unanimously approved and the Chair was authorised to sign as a correct record.

### 5. Public Reports

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**Sederunt: Prior to the following matter, Councillor Curran, having previously intimated a declaration of interest, left the meeting**

#### 5.1 Civic Government (Scotland) Act 1982 – Review of Taxi and Private Hire Car Conditions – Report by Legal Services Manager

The Legal Services Manager spoke to the terms of the report which sought authority to consult on a review of licensing conditions for the operation of taxi and private hire cars. He referred to the proposed draft conditions attached to the report and accepted further work was required prior to release to the trade.

After discussion, the Committee unanimously agreed to (a) approve the draft conditions for public consultation and (b) appoint Councillors Cassidy, Hardie and Hackett to the Short Life Working Group.

#### 5.2 Civic Government (Scotland) Act 1982 – Private Hire Cars – Assessment of Overprovision – Report by Legal Services Manager

The Legal Services Manager spoke to the terms of the report. He further advised of the lodging of a further Petition signed by 38 members of Midlothian Taxi Operators' Association calling for a cap on the grant of private hire car licences on the grounds of overprovision. Mr Turpie advised that it is not legally competent to introduce an immediate cap and, as per the terms of his report, this would require to be done in accordance with the guidance issued by the Scottish Government. He further drew Members attention to the cost of commissioning a survey and the resultant impact on licensing fees given that the full cost has to be met from fees.

Councillor Hardie expressed concern about commissioning a survey given that the population was increasing and emphasised that a cap on the number of licences was not in the interests of residents as choice is important and a cap in place removes choice. The Chair asked for further clarification regarding the costs of a survey. Mr Turpie advised the legal team did not have the expertise to

carry out a survey and whereas he could check elsewhere in the Council as to whether it could be done “in-house”. He further advised that other Councils who had brought in a cap on the number of licences issued had done so having used external consultants.

Thereafter, Councillor Hackett, seconded by Councillor Cassidy, moved that the Committee approve the assessment of overprovision in principle and ask the Legal Services Manager to report back to the next Committee on the anticipated costs of carrying out a survey and how this can be done. On a vote being taken by way of a show of hands, 8 votes were cast in favour of the Motion and none against. This therefore became the decision of the Committee.

**Sederunt: Prior to the following item, Councillor Curran re-entered the meeting room. Councillor Hackett left the meeting and did not return.**

### **5.3 Twinning Relations 2019 Update – Report by Provost and Depute Provost**

The Chair in his capacity of Provost spoke to the terms of the report which was subsequently noted by the Committee.

### **Exclusion of Members of the Public**

**In view of the nature of the business to be transacted, the Committee agreed that the public be excluded from the meeting during discussion of the undernoted item, as contained in the Addendum hereto, as there might be disclosed exempt information as defined in paragraphs 3, 6 and 14 of Part I of Schedule 7A to the Local Government (Scotland) Act 1973:-**

- 6.1 Application for a Private Hire Car Driver’s Licence – L. Annor
- 6.2 Application for a House in Multiple Occupation – A. Khan for Flat at 28 Buccleuch Street, Dalkeith
- 6.3 Application for a Private Hire Car Driver’s Licence – K. Muzangaza
- 6.4 Application for a Second Hand Car Dealer’s Licence – M. Urban

### **Resignation of Chair of the Committee**

At the conclusion of the applications deemed exempt from publication and therefore determined in private, the Chair intimated his resignation with immediate effect. The Democratic Services Team Leader called for nominations for the position of Chair. Councillor Hardie, seconded by Councillor Cassidy, nominated Councillor Munro. No other nominations were received and Councillor Munro was duly appointed to the position of Chair.

The meeting terminated at 12.00 noon