

**General Purposes Committee
Tuesday 29 September 2015
Item No 4**

MINUTES of MEETING of the MIDLOTHIAN COUNCIL GENERAL PURPOSES COMMITTEE held in the Council Chambers, Midlothian House, Buccleuch Street, Dalkeith on Tuesday 18 August 2015 at 2.00pm.

Present:- Councillors Coventry (Chair), Baxter, Bennett, Bryant, Constable, Imrie, Johnstone, Milligan, Muirhead, Pottinger, Russell, Wallace and Young.

Apologies for Absence:- Councillors Montgomery, Rosie and de Vink.

1 Declaration of Interest

Councillor Muirhead declared an interest in Item No 3(b) in that he knew the Applicant as she had been the licence holder at the Dean Tavern where he was a Trustee; and indicated that he would not take part in the consideration of the application.

2 Minutes

The Minutes of Meeting of 19 May 2015 were approved as a correct record, on the motion of Councillor Milligan, seconded by Councillor Young.

3 (a) Civic Government (Scotland) Act 1982 - Procedure for Disposing of Applications for Licences

There was submitted report, dated 3 August 2015, by the Director, Resources, concerning the procedure for disposing of applications for licences, in terms of the Civic Government (Scotland) Act 1982.

Decision

To note the report.

Sederunt

Councillor Muirhead left the Meeting at this stage (2.01pm).

(b) Application for Hire Car Booking Office Licence, Hardengreen, Eskbank

There was submitted report, dated 3 August 2015, by the Director, Resources, concerning an application by Diane Jeromson, Lasswade, for a Hire Car Booking Office Licence in respect of Premises at 40/1 Hardengreen Business Park, Eskbank.

In his report, the Director confirmed that there were no objections to the grant of the licence but it had not been possible to ascertain whether the premises were suitable and or convenient for the activity; and the Applicant had been asked to provide information several times but had failed to do so and had been given the opportunity to attend the Meeting .

Decision

Having noted that the Applicant was not present, to agree that the application be refused as it had not been possible to assess whether the premises were suitable and convenient and indeed whether the Applicant was still interested in pursuing the application.

Sederunt

Councillor Muirhead rejoined the Meeting at this stage (2.03pm).

(c) Temporary Public Entertainment Licences

There was submitted report, dated 10 August 2015, by the Director, Resources, concerning the grant of an application for a Temporary Public Entertainment Licence by Mr J Evans, Edinburgh, in respect of King's Park, Dalkeith, on the standard conditions but also allowing activity on a Sunday from 3 to 5 July 2015.

In his report, the Director confirmed that it had been intended that the application be granted on the standard conditions ie that there be no Sunday opening but, following representations from the Applicant and consultations with the Chair and Local Members, it had been agreed to grant the licence as submitted.

Decision

- (i) To note the report;
- (ii) To endorse the grant of the licence; and
- (ii) In order to accommodate changing life patterns and facilitate the promotion of Festival and Gala Days, to allow Public Shows to take place on Sundays throughout Midlothian.

(d) Effect of Amendments made by the Air Weapons and Licensing (Scotland) Act 2015

There was submitted report, dated 10 August 2015, by the Director, Resources, concerning impending changes to the legislation relating to Licences for Taxis and Private Hire Cars, Metal Dealers, Places of Public Entertainment and Places of Sexual Public Entertainment and related consequential items.

In his report, the Director stated that:-

- (i) the air weapons provisions were expected to come into force in 2016;

(ii) in respect of Liquor Licensing, the five year ban on personal licences in terms of the Licensing (Scotland) Act 2005, had been removed with immediate effect and it was expected that other more straightforward commencements for Liquor and Civic Government Licensing would be made in the Autumn;

(iii) Guidance would be issued both in relation to the new provisions and also to update various aspects of the older provisions; and

(iv) the Government planned a public information campaign before the provisions took effect and intended to provide details on what people affected by the Act needed to do.

Decision

(1) To note the report; and

(2) To authorise preliminary consultations in order to facilitate consideration of appropriate aspects of the new provisions relating to the activities regulated in terms of the Civic Government legislation.

4 Gambling Act – Fixed Odds Betting Terminals - Proposed devolution to Scottish Parliament

There was submitted report, dated 2 August 2015, by the Director, Resources, concerning a request for views on a proposal that legislative competence be devolved to the Scottish Parliament for Fixed Odds Betting Terminals.

In his report, the Director furnished the views of the Director Education, Communities and Economy, the Joint Director, Health and Social Care and Environmental Health and Legal Services Managers.

Decision

To approve the submission of comments to the Scottish Government.

5 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 paragraph 3, 12 and 14 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

Decision

Private Hire Car Driver's Licence –Application – Refused as the Applicant was not a fit and proper person to be the holder of a licence.

The Meeting terminated at 2.27pm.