

Minute of Meeting



General Purposes Committee

Date	Time	Venue
22 January 2019	10.00 am	Council Chamber, Midlothian House, Buccleuch Street, Dalkeith

Present:

Councillor Hardie (Chair)	Councillor Baird
Councillor Cassidy	Councillor Curran
Councillor Hackett	Councillor Imrie
Councillor Lay-Douglas	Councillor Milligan
Councillor Muirhead	Councillor McCall
Councillor Munro	Councillor Parry
Councillor Russell	Councillor Wallace
Councillor Winchester	

In attendance:

Verona MacDonald	Democratic Services Team Leader
Alan Turpie	Legal Services Manager
Inspector Keith Mailer	Police, Scotland
Constable John Fortune	Police, Scotland
Steven Thomson	Trading Standards Manager

1. Apologies

Apologies for absence were intimated on behalf of Councillors Alexander, Johnstone and Smaill. Noting the absence of Councillor Smaill, the Chair of the Committee, the Clerk invited nominations. Councillor Hardie was nominated by Councillor Munro, seconded by Councillor Lay-Douglas. No other nominations were received and Councillor Hardie assumed the role of Chair for the meeting.

2. Order of Business

The Clerk advised that the order of business was as per the agenda circulated.

3. Declarations of interest

Councillor Curran indicated he would be declaring an interest in the applications on the agenda relating to private hire car driver applications on the basis of his business interests in the taxi trade.

4. Minute of Meeting

The Minute of Meeting of 20 November 2018 was considered and approved. The Chair was thereafter authorised to sign the Minute as an accurate record of the meeting.

5. Public Reports

Report No.	Title	
5.1 and 5.2	Application for a Metal Dealers Licence and Application for a Second Hand Dealer's Licence, 17 – 29 Engine Road, Loanhead (continued from the previous meeting) – Louise McVay	
Outline of report and summary of discussion		
<p>It was noted that the applicant, Mrs McVay was present. The Legal Services Manager provided the applicant with a short overview of the process which would be followed by the Committee in considering the application and suggested the application together with the application for a Second Hand Dealer's Licence listed separately on the agenda be considered together. The applicant indicated her agreement to this. With reference to the continuance of the applications from the previous meeting, Mr Turpie advised that clarification had been sought from the objectors whereby it had been established that 2 letters of objection were relevant to the applications before the Committee. He advised that the objections were from Mr S. Howard and Loanhead and District Community Council. It was noted that neither were present or represented.</p> <p>In the absence of personal representation from the objectors, the applicant addressed the Committee in support of the applications and addressed the points raised in the letters of objection. She noted Mr S. Howard no longer resided at the address listed in his objection. She advised that planning permission was granted for the use of the site with relevant conditions being attached and previous to the proposed use, the site was operated 24 hours a day and occupied by 14 separate businesses whereas the future proposed use would see only one business operating. She submitted that the majority of the points raised in the letters of objection were relevant to the planning process and had been considered prior to planning permission being granted. She explained that she already operated a similar site in East Calder without incident and that oil extracted from vehicles being scrapped would be held in double layered containers to remove the risk of spillage. She advised air tools had been fitted in the yard to reduce the risk of fire and that children would not be expected to use Engine Road as a safe walking route to school due to the current volume of traffic.</p> <p>Thereafter, Councillor Milligan, seconded by Councillor Hackett, moved grant of the applications. As an amendment, Councillor Parry, seconded by Councillor McCall, moved refusal on the basis that the site was not suitable for the proposed</p>		

use. On a vote being taken by way of a show of hands, 2 were cast for the amendment and 11 for the Motion which became the decision of the Committee.

Decision

Applications granted

Action

Director, Resources

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 (continued from the previous meeting) – R. MacLeod
- 6.2 Application for a Second Hand Car Dealer's Licence – A. Bradley and T. Asghar trading as Asga Motors Ltd, 9 – 11 Dalhousie Road, Newtongrange
- 6.3 Application for a Private Hire Car Driver's Licence – G. Todd
- 6.4 Application for a Private Hire Car Driver's Licence – D. Cleland

The Meeting terminated at 11.15 am