

**MINUTES of MEETING of the MIDLOTHIAN COUNCIL GENERAL PURPOSES COMMITTEE** held in the Council Chambers, Midlothian House, Buccleuch Street, Dalkeith on Tuesday 18 February 2014 at 2.00pm.

**Present:-** Councillors Baxter, Bryant, Constable, Imrie, Johnstone, Milligan, Montgomery, Muirhead, Pottinger, Rosie, Russell, de Vink and Wallace.

**Apologies for Absence:-** Councillors Beattie, Bennett, Coventry and Thompson.

In the absence of the newly appointed Chair, Councillor Coventry, Councillor Rosie was appointed to the Chair for this Meeting.

## **1 Order of Business**

The Committee noted that the Chair had ruled as urgent, an additional item of correspondence relating to the withdrawal of an application for a Late Hours Catering Licence, as described in paragraph 8(a) below.

## **2 Declarations of Interest**

- (a) Councillors Bryant, Johnstone, Rosie, Russell and Wallace declared an interest in that they knew the applicant; and Councillors Constable, Imrie, Milligan, Montgomery, Muirhead and Pottinger declared a non-pecuniary interest in that they knew the Applicant but indicated that they intended to participate in the relative debate, in respect of an application for a Window Cleaner's licence, as described at paragraph 5(b) below; and
- (b) Councillor Russell declared an interest in one of the organisations discussed at paragraph 5(c) below.

## **3 Minutes**

The Minutes of Meeting of 7 January 2014 were approved as a correct record.

## **4 Civic Government (Scotland) Act 1982**

### **(a) Procedure for Disposing of Applications**

There was submitted report, dated 10 February 2014, 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.

**(b) (i) Application for Second Hand Dealer's Licence - 37, High Street, Dalkeith**

There were submitted:-

- (a) letter, dated 4 February 2014, from the Chief Constable concerning an application by Asaaz Ltd Scotland, trading as Aztel and Mr M Aziz, 50 Lindsay Circus, Rosewell, in respect of the premises at 37, High Street, Dalkeith, trading in second hand mobile phones and computers; and
- (b) report, dated 5 February 2014, by the Director, Resources, concerning the background to the regulation of the activity.

The Committee heard a representative of the Chief Constable and the Applicant; and discussed the general principles of the regulation of such activities, particularly in respect of the extent to which they were susceptible to the attempted reset of stolen goods.

**Decision**

To grant the application, subject to:-

- (i) the standard conditions, i.e. including the need to record in a register the date and time of purchase; description of goods; seller's name and address; date and time of sale; description at time of sale (if different); and purchasers name and address;
- (ii) conditions designed to discourage criminal activity in relation to the potential for attempted reset of stolen goods ie to detect and record the identity and address of customers from whom second hand goods were purchased, namely:-
  - (1) The Seller be required to produce proof of identity in the form of photographic evidence ie passport, driving licence, student card or similar; and proof of address, in the form of a bank statement, public utilities bill or similar.
  - (2) The licenceholder shall retain a copy of the proof of identity and enter details in the register of the document validating the address of the seller.
  - (3) The licenceholder shall retain the register for a period of two years.
  - (4) CCTV shall be installed and maintained in the premises.
  - (5) The licenceholder shall inform the Police if he suspects attempted reset of stolen goods.
  - (6) Signage shall be provided at the entrance to the premises confirming (1), (4) and (5) above.

**(b) (ii) Conditions of Licensing – Second Hand Dealer’s Licences dealing in mobile phones, computers, etc**

With reference to the foregoing, particularly in relation to the additional conditions, the Committee considered the desirability of including these in respect of such licences.

**Decision**

To approve the introduction of the aforementioned conditions of licensing, described at paragraph 4(b)(ii) above, in respect of such activities in future.

(Action – (b) (i) and (ii) - Legal and Secretariat Manager)

**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 items, as contained in the Addendum hereto, as there might be disclosed exempt information as defined in paragraphs 3, 12 and 14 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

**Decision**

- (a) Late Hours Catering Licence - Consideration of Application – Noted that the Application had been withdrawn;
- (b) Window Cleaner’s Licence - Consideration of Application - Granted; and
- (c) Trusts, Bequests and Opencast Funds – Noted update; approved proposals for winding up of and disbursements from various Trusts and Bequests and; and remitted detailed arrangements to the Director, Resources, in consultation with the Chair.

The Meeting terminated at 2.50pm.

