

**General Purposes Committee  
Tuesday 7 January 2013  
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 12 November 2013 at 2.00pm.

**Present:-** Councillors Rosie (Chair), Baxter, Bennett, Boyes, Bryant, Constable, Coventry, Johnstone, Muirhead, Pottinger and Wallace.

**Apologies for Absence:-** Councillors Beattie, Milligan, Montgomery, Russell, Thompson and de Vink.

**1 Order of Business**

The Committee noted an adjustment in the order of business concerning consideration of a request for a disbursement from the Dalkeith Common Good Fund, as described at paragraph 6 below.

**2 Minutes**

On the motion of Councillor Pottinger, seconded by Councillor Wallace, the Minutes of Meeting of 1 October 2013 were approved as a correct record.

**3 Civic Government (Scotland) Act 1982**

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

There was submitted report, dated 30 October 2013, 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) Second Hand Dealer's Licence – 2/2 Butlerfied Industrial Estate, Bonnyrigg**

There was submitted report, dated 4 November 2013, by the Director, Resources, concerning an application for a Second Hand Dealer's Licence by Weesweep Advantage Autos and Mr S Williams, Bonnyrigg, in respect of 2/2 Butlerfied Industrial Estate, Bonnyrigg.

In his report, the Director advised, *inter alia*:-

- (i) that (1) the Applicant had been advised, in July 2013, that planning permission was required for the change of use of the premises but had not yet made application; and (2) in the absence of guidance in that respect, it had not been possible to assess whether the premises were suitable and convenient for the purpose;
- (ii) on the procedural aspects; and
- (iii) that no representations had been received.

It was reported that the Applicant had been called to attend but was not present.

### **Decision**

To continue consideration of the matter until later in the Meeting.

### **(c) Taxis (and Private Hire Cars fitted with Taxi Meters) - Review of Fare Tariff**

There was submitted report, dated 30 October 2013, by the Director, Resources, concerning the periodic review of the Taxi Fare Tariff.

In his report, the Director confirmed that Midlothian Taxi Owners' Association considered that the Tariff should remain unchanged, save, as regards the imposition of the premium charge, the replacement and deletion of 2 and 3 January, respectively.

### **Decision**

- (i) To note the report; and
- (ii) To authorise consultation, in the form of Public Notice, in respect of a review on the basis of the proposal made by the Association.

## **4 Consultation on Rehabilitation of Offenders Act 1974**

There was submitted report, dated 4 November 2013, by the Director, Resources (a) confirming that the Scottish Government (SG) had issued a consultation document about a review of the rehabilitation of offenders legislation; and considered that, whilst the fundamental principles were as sound and as relevant as they were in the 1970s, the legislation was no longer fit for purpose and required to be reviewed; and (b) suggesting *inter alia* that consideration be given to making representations that, in respect of licensing, applicants for most types of licences eg street traders, second hand and metal dealers; and window cleaners, be included as employment based exceptions in the same way that Hire Car Drivers currently were, in view of the high level of trust that they were afforded because of their immediate interface with potentially vulnerable people.

## Decision

To make representation that other categories of licence holders be added to the exclusions category and, therefore, required to declare all convictions when making applications for licences, in view of the high level of trust that they were afforded.

### 5 **Links in Europe – Heinsberg, Germany and Komarom-Esztergom, Hungary – Festival of Friendship**

There was submitted report, dated 21 October 2013, by the Director, Resources, confirming that:-

- (a) the Festival of Friendship had taken place in Komarom – Esztergom, Hungary from 15 - 20 October 2013, involving Music, Dance and Song Groups from Komarom – Esztergom and the other trilateral Partner areas, Midlothian and Heinsberg, Germany;
- (b) the Fortieth Anniversary of the official commencement of the Partnerships had been marked during the course of the Festival of Friendship, at a Meeting of representatives of the Partner areas in the Council Chambers, Tatabanya, when the President of the host Council, Mr G Popovicz had led a discussion, which included presentations by the Member of Parliament and the Mayors of Tatabanya and Tata on the progress made by the Komarom – Esztergom Council and the respective Town Councils; had pledged the support of his community to the continued development of the link; and, to mark the anniversary, had presented a framed handcrafted inscription, decorated with enamelled images depicting places and themes appropriate to Midlothian and Komarom – Esztergom; Provost Wallace had replied suitably and presented Quaichs to both the Komarom – Esztergom and Heinsberg Councils; and the Deputy Landrat of Kreis Heinsberg, Mr Willi Pfaffen had reciprocated; and
- (c) a Meeting had taken place to review progress and discuss proposals for the future, as described in **Appendix 1** hereto; and the various developments and proposals would be taken forward in consultation with the Partners and appropriate agencies.

The Clerk provided supplementary verbal information about the Festival.

## Decision

To note the report.

### 6 **Dalkeith Common Good Fund – Request for Financial Assistance**

There was submitted report, dated 5 November 2013, by the Director, Resources, concerning a request, dated 5 November 2013, by Dalkeith and District Community Council, for funding in the amount of £2,000 towards the cost of supplementing / replacing Christmas Lights in Dalkeith. A copy of the communication was appended to the report.

In his report, the Director confirmed the status of the Fund and the need to make disbursements unequivocally for the benefit of the inhabitants of the former burghal area of Dalkeith.

There was tabled supplementary report, dated 12 November 2013, by the Director, confirming the implications of the request.

### **Decision**

To grant the request as submitted, subject to further investigation as regards the method of payment.

## **7 Second Hand Dealer's Licence – 2/2 Butlerfield Industrial Estate, Bonnyrigg**

With reference to paragraph 3(b) above, the Committee resumed consideration of the Application for a Second Hand Dealer's licence in respect of 2/2 Butlerfield Industrial Estate, Bonnyrigg.

The Committee noted that Mr Williams was still not present and considered the report on the application in his absence.

### **Decision**

- (a) To note the report; and
- (b) To approve the grant of the application with suspensive effect ie to run concurrently with any planning permission that may be granted.

(Action – Head of Customer Services)

## **8 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) Ainslie, Chisholm and Fraser Hogg Bequests – consider disbursements – Agreed to make disbursements;
- (b) Itinerant Metal Dealer's Licence - Consideration of Application – Refused as the Applicant was not considered to be a fit and proper person to be the holder of a licence;
- (c) Street Trader's Licence - Consideration of Application – Refused as the Applicant was not considered to be a fit and proper person to be the holder of a licence; and
- (d) Private Hire Car Driver's Licence - Consideration of Application – Granted, subject to a warning to the applicant as regards his future conduct.

The Meeting terminated at 3.58 pm.

## **APPENDIX 1**

### **(relative to paragraph 5)**

#### **Summary of matters raised at a meeting in Komarom – Esztergom on Saturday, 19 October 2013.**

President Popovicz welcomed those present and opened the meeting for discussion on the various aspects of partnership activity; and suggestions as to how it may develop. As host authority, the Komarom – Esztergom Council, had faced changes in functions and cuts in budget which had produced deficit situations. The Council had enlisted the help of the local town councils there to support the Festival activities on a daily basis in order to enable it to be able to provide the resource needed – in financial terms, the budget for the Festival was 4-5% of the total allocation. The need to give adequate notice to facilitate preparation was necessary. Whilst no financial assistance had been made by the European Commission, it was imperative that if such support was available, it be sought.

Deputy Landrat Pfaffen asked that consideration be given to the following projects, namely:-

- (a) the development of contact between schools and further education colleges in vocational training eg in social care, building, information services, etc;
- (b) the provision of assistance with a programme of self financing visits to places in Europe which the Heinsberg Council promoted via its further education service, as regards visits to the Partner areas; and
- (c) the Festival of Friendship, whether a return to family home stay accommodation was perhaps worth considering.

The Meeting (i) agreed that educational exchanges ought to be encouraged; and noted that (i) progress could be made independently with topics (a) and (b); and (ii) on the Midlothian side, dialogue had begun with the further education college with a view to securing the involvement of the students there; and in relation to school exchanges, there had been a fair amount of activity already but there was a need to renew efforts to secure participation.

As regards the Festival of Friendship, Provost Wallace extended an invitation to the Partners to visit Midlothian in or around October 2015 for the next Festival of Friendship; and invited comments in relation to the optimal period, duration, numbers of participants and programme content. In response, no particular preference emerged and it was agreed that it be left to the Midlothian side to consider and implement the planning stages ie noting that in the current financial climate, changes in approach may be required and there was no particular best practice in this respect as there were advantages and disadvantages in promoting the Festival with home-stay and hostel accommodation.

Owing to time and other constraints other matters described in the **Annex** were not touched upon and it was agreed that dialogue be developed through correspondence.

## **ANNEX**

### **Museums**

There had been dialogue previously about the development of a Museum link through the Scottish Mining Museum, Newtongrange, the Huckelhoven - Heinsberg Museum and the Tatabanya Museum. A visit to the last mentioned had taken place and the Director, Mrs G Altdorfer - Pal had expressed enthusiastic support about further contact. Exchanges of literature, exhibition material and meetings had been mentioned as possible ways of developing contact.

### **Schoolgroups**

In relation to school groups, in the year 2000, there had been exchange visits involving Scottish and Hungarian Schoolteachers which had led to successful exchanges. In 2006 similar exchanges involving teachers from Midlothian and Kreis Heinsberg had taken place but the anticipated exchanges of schoolchildren had not materialised.

### **Visual Arts**

It had been accepted that it would be of benefit if artists could be involved in exchanges. More recently, Heinsberg and Midlothian Sculptors had taken part in exchange visits.

### **Youth Seminar**

Another Youth Seminar in Midlothian had been under consideration for some time with English as the vehicle language, featuring topics of interest to and developed by young people with European Commission funding being critical to this exercise.

### **Youth Sports Event at Easter**

The Football Team from Dalkeith High School had withdrawn from the Annual International Jugend Treff in Kreis Heinsberg at Easter 2013. There had been no news about the event in 2014.

### **Student Teachers Exchange**

The school-teacher practical training exercise involving Tynewater Primary School had not taken place in 2013.

### **Scouts**

It had been hoped that it might be possible to arrange a camp in Kreis Heinsberg for Midlothian Scouts in 2013.

### **Further Education**

The Colleges in Geilenkirchen and Erkelenz had arranged / were arranging visits to Midlothian in October 2013 and Spring 2014, respectively; and it was intended to develop linkages with the Edinburgh (formerly Jewel) College.

**APPENDIX 2**  
**(relative to paragraph 1 of the Addendum)**

**Ainslie, Chisholm and Fraser Hogg Bequests**  
**Disbursements – 2013**

Ms M Donnelly, 61 Woodburn Bank, Dalkeith, Midlothian, EH22 2HP

Miss S Balfour, 61 Woodburn Bank, Dalkeith, Midlothian, EH22 2HP

Mrs A Law, 13 Gibraltar Terrace, Dalkeith, Midlothian, EH22 1ED

Mrs M Moffat, 43 Woodburn Park, Dalkeith, Midlothian, EH22 2BZ