

**EAST AYRSHIRE COUNCIL**

**LOCAL GOVERNMENT LICENSING PANEL**

**MINUTES OF MEETING HELD ON THURSDAY 26 AUGUST 2010 AT 1400 HOURS IN THE COUNCIL CHAMBERS, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors Hugh Ross, John McKay, John Campbell and Jim Roberts.

**ATTENDING:** David Mitchell, Head of Legal, Procurement and Regulatory Services; Gillian Kuhn, Licensing Board Administrator; and Sharon McHarg, Administrative Officer.

**APOLOGIES:** Councillors Rose-Ann Cuninghame, Robert Keohone, Jim Buchanan, Gordon Cree, Neil McGhee, Barney Menzies and Elaine Dinwoodie.

**CHAIR:** Councillor Hugh Ross, Chair.

**EXCLUSION OF PRESS AND PUBLIC**

1. The Panel resolved "That under Section 50A(4) of the Local Government (Scotland) Act 1973, as amended, the Press and public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of exempt information as defined in the Paragraph of Schedule 7A of the Act as shown against each item".

**APPLICATION FOR GRANT OF A TAXI DRIVER'S LICENCE – HOWELL JOHN REES (PARA 14)**

2. There was submitted a report dated 17 August 2010 (circulated) by the Executive Director of Finance and Corporate Support which invited the Panel to consider, by way of a Hearing, an application for the grant of a Taxi Driver's Licence.

It was confirmed that Mr Rees, the applicant, Mr Brian Gallen, Solicitor for the applicant and representatives from Strathclyde Police were all in attendance.

**2.1 Hearing**

The Panel heard Inspector Henderson, representing Strathclyde Police, in explanation of the Police objections and the applicant and his Solicitor, who spoke to all matters raised, all in accordance with the agreed Hearing Procedure.

The applicant, his Solicitor and the Police representatives then left the meeting to enable the Panel to take and consider legal advice on the matter.

The parties were then re-admitted.

**2.2 Decision**

It was agreed that the application for the grant of a Taxi Driver's Licence be granted for a period of 12 months, subject to the standard conditions.

**APPLICATION FOR GRANT OF TAXI DRIVERS LICENCE – JATINDER KUMAR  
(PARA 14)**

3. There was submitted a report dated 9 August 2010 (circulated) by the Executive Director of Finance and Corporate Support which invited the Panel to consider, by way of a Hearing, an application for the grant of a Taxi Driver's Licence.

It was confirmed that the applicant and representatives from Strathclyde Police were all in attendance.

**3.1 Hearing**

The Panel heard Inspector Henderson, representing Strathclyde Police, in explanation of the Police objections and the applicant, who spoke to all matters raised, all in accordance with the agreed Hearing Procedure.

The applicant and the Police representatives then left the meeting to enable the Panel to take and consider legal advice on the matter.

The parties were then re-admitted.

**3.2 Decision**

It was agreed that the application for the grant of a Taxi Driver's Licence be refused on the grounds that the applicant was not a fit and proper person to be the holder of such a licence.

**APPLICATION FOR RENEWAL OF TAXI DRIVER'S LICENCE – ALAN BROWN  
(PARA 6)**

4. There was submitted a report dated 13 August 2010 (circulated) by the Executive Director of Finance and Corporate Support which invited the Panel to consider, by way of a Hearing, an application for the grant of a Taxi Driver's Licence.

It was confirmed that the applicant was in attendance.

**4.1 Hearing**

The Panel heard the applicant summarise his position.

**4.2 Decision**

It was agreed that the application for the renewal of Taxi Driver's Licence be granted, subject to the standard conditions and an additional suspensive condition that it would not be issued until the Head of Legal Procurement and Regulatory Services had received (i) a letter from the applicant's GP to confirm that he was not aware of any medical reason that would render the applicant unfit to drive a taxi; and (ii) a copy of the applicant's current full driving licence once issued by the DVLA.

The meeting terminated at 1510 hours.