

EAST AYRSHIRE COUNCIL

LOCAL GOVERNMENT LICENSING PANEL

MINUTES OF MEETING HELD ON THURSDAY 13 JANUARY 2011 AT 1000 HOURS IN COUNCIL CHAMBERS, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

PRESENT: Councillors Hugh Ross, Rose-Ann Cuninghame, John MacKay, Robert Keohone, John Campbell, Gordon Cree, Neil McGhee, Barney Menzies, Kathy Morrice and Elaine Dinwoodie.

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

APOLOGY: Councillor Jim Roberts.

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 Paragraph 14 of Schedule 7A of the Act".

APPLICATION FOR GRANT OF A STREET TRADERS LICENCE (EMPLOYEE) – MURRAY WILSON (Item 6, Page 1447 , 07/12)

2. It was noted that, following agreement with the applicant, this item would be considered at the next meeting of the Panel on 10 March 2011.

APPLICATION FOR GRANT OF WINDOW CLEANERS LICENCE (1 YEAR EMPLOYEE) – GARETH BROWN

3. There was submitted a report dated 22 December 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 Window Cleaners Licence (1 year employee).

It was confirmed that Mr Gareth Brown, the applicant, Mr W Cook, representative for the applicant and representatives from Strathclyde Police were all in attendance.

The Head of Legal, Procurement and Regulatory Services outlined the agreed hearing procedure.

3.2 Hearing

The Panel heard Inspector Henderson, representing Strathclyde Police, in explanation of the Police objection and the applicant and his representative, who spoke to all matters raised, all in accordance with the agreed hearing procedure.

The applicant, his representative 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.

3.3 Decision

It was agreed that the application for the grant of a Window Cleaners Licence (1 year employee) be refused on the grounds that applicant was not a fit and proper person to be the holder such a licence.

The applicant was further advised that he could re-apply in one year and should he have no further offences or complaints, the Panel would take account of this when considering his application.

RE-ADMISSION OF PRESS AND PUBLIC

4. The press and public were then re-admitted to the meeting.

ORDER OF BUSINESS

5. The Chair, at his discretion and in terms of Standing Order 19, agreed to alter the order of business.

CONSIDERATION OF SUSPENSION OF TAXI DRIVER'S LICENCE NO EA/TD 1003 – JOHN KERR

6. There was submitted a report dated 8 November 2010 (circulated) by the Executive Director of Finance and Corporate Support which invited the Panel to consider, by way of a hearing, suspension of Taxi Driver's Licence No EA/TD 1003.

It was confirmed that the applicant was present should he be required to attend a hearing.

The Head of Legal, Procurement and Regulatory Services summarised the position and advised the Panel that Mr John Kerr had indicated his intention to attend the approved disability awareness training course on 20 January 2011, which Mr Kerr confirmed to the Panel.

It was agreed to continue this item to a future meeting of the Panel, but only if Mr Kerr should fail to attend the training on 20 January 2011.

CONSIDERATION OF SUSPENSION OF TAXI DRIVER'S LICENCE NO EA/TD 99 – DAVID AMPHLETT

7. There was submitted a report dated 8 November 2010 (circulated) by the Executive Director of Finance and Corporate Support which invited the Panel to consider, by way of a hearing, the suspension of Taxi Driver's Licence No EA/TD 99.

It was confirmed that the applicant was not present or represented.

7.1 Decision

It was agreed to suspend Taxi Driver Licence No EA/TD 99 for the unexpired portion of its duration or until such time as the licence holder attended disability awareness training, whichever period was shortest.

**CONSIDERATION OF SUSPENSION OF TAXI DRIVER'S LICENCE EA/TD 83 –
MICHAEL BROWN**

8. There was submitted a report dated 8 November 2010 (circulated) by the Executive Director of Finance and Corporate Support which invited the Panel to consider, by way of a hearing, suspension of Taxi Driver's Licence No EA/TD 83.

It was confirmed that the applicant was not present or represented.

8.1 Decision

It was agreed to suspend Taxi Driver Licence No EA/TD 83 for the unexpired portion of its duration or until such time as the licence holder attended disability awareness training, whichever period was shortest.

**CONSIDERATION OF TAXI DRIVER'S LICENCE NO EA/TD 1027 – SCOTT
CATHCART**

9. There was submitted a report dated 8 November 2010 (circulated) by the Executive Director of Finance and Corporate Support which invited the Panel to consider, by way of a hearing, suspension of Taxi Driver's Licence No EA/TD 1027.

It was confirmed that the applicant was not present or represented.

9.1 Decision

It was agreed to suspend Taxi Driver Licence EA/TD 1027 for the unexpired portion of its duration or until such time as the licence holder attended disability awareness training, whichever period was shortest.

**CONSIDERATION OF SUSPENSION OF TAXI DRIVER'S LICENCE NO
EA/TD 23 – MICHAEL COOK**

10. There was submitted a report dated 8 November 2010 (circulated) by the Executive Director of Finance and Corporate Support which invited the Panel to consider, by way of a hearing, suspension of Taxi Driver's Licence No EA/TD 23.

It was confirmed that the applicant was not present or represented.

10.1 Decision

It was agreed to suspend Taxi Driver Licence EA/TD 23 for the unexpired portion of its duration or until such time as the licence holder attended disability awareness training, whichever period was shortest.

**CONSIDERATION OF SUSPENSION OF TAXI DRIVER'S LICENCE NO EA/TD 905
– HENRY HART**

11. There was submitted a report dated 8 November 2010 (circulated) by the Executive Director of Finance and Corporate Support which invited the Panel to consider, by way of a hearing, suspension of Taxi Driver's Licence No EA/TD 905.

It was confirmed that the applicant was not present or represented.

11.1 Decision

It was agreed to suspend Taxi Driver Licence EA/TD 905 for the unexpired portion of its duration or until such time as the licence holder attended disability awareness training, whichever period was shortest.

**CONSIDERATION OF SUSPENSION OF TAXI DRIVER'S LICENCE NO EA/TD
1236 – STUART WATSON**

12. There was submitted a report dated 8 November 2010 (circulated) by the Executive Director of Finance and Corporate Support which invited the Panel to consider, by way of a hearing, suspension of Taxi Driver's Licence No EA/TD 1236.

It was confirmed that the applicant was not present or represented.

12.1 Decision

It was agreed to suspend Taxi Driver Licence EA/TD 1236 for the unexpired portion of its duration or until such time as the licence holder attended disability awareness training, whichever period was shortest.

The meeting terminated at 1050 hours.