

EAST AYRSHIRE COUNCIL

LOCAL GOVERNMENT LICENSING PANEL

MINUTES OF MEETING HELD ON WEDNESDAY 8 DECEMBER 2010 AT 1000 HOURS IN THE COUNCIL CHAMBERS, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

PRESENT: Councillors Hugh Ross, Rose-Ann Cuninghame, John MacKay, Robert Keohone, Jim Buchanan, John Campbell, Neil McGhee and Jim Roberts.

ATTENDING: Stuart McCall, Legal and Procurement Services Manager; Gillian Kuhn, Licensing Board Administrator; and Sharon McHarg, Administrative Officer.

APOLOGIES: Councillors Gordon Cree, 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 Paragraph 14 of Schedule 7A of the Act".

APPLICATION FOR GRANT OF A TAXI DRIVER'S LICENCE – GREIG MITCHELL

2. There was submitted a report dated 22 November 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 a grant of a Taxi Driver's Licence.

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

The Legal and Procurement Services Manager outlined the agreed hearing procedure.

2.1 Hearing

The Panel heard Inspector Henderson, representing Strathclyde Police, in explanation of the Police observations 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.

2.2 Decision

It was agreed that the application for the Taxi Driver's Licence be granted, subject to the standard conditions.

APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE – SCOTT WILSON

3. There submitted a report dated 22 November 2010 (circulated) by the Executive Director of Finance and Corporate Support which invited the Panel to consider, by way of a hearing, the application for a grant of a Window Cleaner's Licence.

It was confirmed that Scott Wilson, the applicant and Mr Douglas Livingston, the applicant's representative and representatives from Strathclyde Police were all in attendance.

The Legal and Procurement Services Manager outlined the agreed hearing procedure.

3.1 Hearing

The Panel heard Inspector Henderson, representing Strathclyde Police, in explanation of the Police observations 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.

3.2 Decision

It was agreed that the application for the grant of a Window Cleaner's licence should be granted, for a period of 12 months, subject to the standard conditions.

APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE – BRIAN WYLIE (1 YEAR EMPLOYEE)

4. There was submitted a report dated 22 November 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 Cleaner's Licence (1 year employee).

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

The Legal and Procurement Services Manager outlined the agreed hearing procedure.

4.2 Hearing

The Panel head 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.

4.3 Decision

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

Councillor Neil McGhee left the meeting following consideration of the above item.

APPLICATION FOR GRANT OF A TAXI DRIVER'S LICENCE – HUGH DERBY

5. There was submitted a report dated 22 November 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 Hugh Derby, the applicant and representatives from Strathclyde Police were all in attendance.

5.2 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.

5.3 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.

The applicant was further advised that the Panel would take a very dim view of any similar offences or complaints which might be brought to their attention in future and in such circumstances would be unlikely to be minded to approve any renewal of the licence.

APPLICATION FOR GRANT OF A STREET TRADER'S LICENCE (EMPLOYEE) – MURRAY WILSON

6. It was reported and noted that this application had been withdrawn from the agenda and would be considered at a future meeting of the Panel.

RE-ADMISSION OF PRESS AND PUBLIC

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

APPLICATION FEES – CIVIC GOVERNMENT AND MISCELLANEOUS LICENSING

8. There was submitted a report dated 25 November 2010 (circulated) by the Executive Director of Finance and Corporate Support which sought approval for revised charges for application fees in relation to Civic Government and Miscellaneous Licensing.

It was agreed:-

- (i) to approve the proposed increase in application fees for Civic Government and Miscellaneous Licensing outlined in Appendix I to the report, with effect from 1 January 2011 until 31 March 2012;
- (ii) to approve the introduction of charges for provision of replacement ID badges, Taxi/ PHC plates, Taxi/ PHC door signs and No Smoking Stickers as detailed in paragraph 3.5 of the report, with effect from 1 January 2011 until 31 March 2012; and
- (iii) otherwise, to note the content of the report.

The meeting terminated at 1120 hours.