

**EAST AYRSHIRE COUNCIL**

**LOCAL GOVERNMENT LICENSING PANEL**

**MINUTES OF MEETING HELD ON THURSDAY 20 DECEMBER 2007 AT 1000 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

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

**ATTENDING:** David Mitchell, Head of Legal, Procurement and Regulatory Services, George Scott, Licensing Officer; and Christine Baillie, Administrative Officer.

**APOLOGY:** Councillor Jim Buchanan.

**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 items 2 and 3 shown below on the grounds that they involved the likely disclosure of exempt information as defined in Paragraph 3 of Schedule 7A of the Act.

**APPLICATION FOR GRANT OF A TAXI DRIVER'S LICENCE - WILLIAM MURPHY**

2. There was submitted a report dated 7 November 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which invited the Panel to consider, by way of a Hearing, an application for the grant of a Taxi Driver's Licence.

The Head of Legal, Procurement and Regulatory Services outlined the agreed Hearing Procedure.

**2.1 Hearing**

The Panel heard Chief Inspector Lawrence representing Strathclyde Police, in explanation of the Police representations, and the applicant, who spoke to all matters raised, 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 grant of a Taxi Driver's Licence be granted for one year, subject to the standard conditions.

The applicant was also advised that if any further offences or complaints were brought to the attention of the Panel in the future, the Panel would be unlikely to be minded to approve any renewal of the licence.

Councillor Rose-Ann Cuninghame joined the meeting during discussion of the above item but took no part in the discussion or determination of the application.

## APPLICATION FOR RENEWAL OF A TAXI DRIVER'S LICENCE - JOHN HOUSTON

3. There was submitted a report dated 7 November 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which invited the Panel to consider, by way of a Hearing, an application for the renewal of a Taxi Driver's Licence.

The Head of Legal, Procurement and Regulatory Services outlined the agreed Hearing Procedure.

### 3.1 Hearing

The Panel heard Chief Inspector Lawrence representing Strathclyde Police, in explanation of the Police representations, and the applicant, who spoke to all matters raised, 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 renewal of a Taxi Driver's Licence be granted, subject to the standard conditions.

The applicant was also advised that if any further offences or complaints were brought to the attention of the Panel, in the future, the Panel would be unlikely to be minded to approve any renewal of the licence.

## RE-ADMITTANCE OF PRESS AND PUBLIC

### PROPOSED REVIEW OF TAXI FARES

4. There was submitted a report dated 3 December 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which invited the Panel to consider reviewing the scales for taxi fares and associated charges, following a request submitted by East Ayrshire Taxi Trade Council.

Having noted that paragraph 3.1, 2<sup>nd</sup> last line should read "to 150 yards" and not "to 160 yards", Councillor Gordon Cree, seconded by Councillor John MacKay, moved:-

- (i) to accept, in principle, the fare scales as set out in Appendix 1 to the report and to remit to the Depute Chief Executive/Executive Director of Corporate Support to carry out the statutory procedures; and
- (ii) to remit to the Depute Chief Executive/Executive Director of Corporate Support to submit a further report following the advertisement of the proposals in local newspapers inviting representatives or objections.

Councillor Barney Menzies, seconded by Councillor Elaine Dinwoodie, moved as an amendment:-

- (i) to accept, in principle, the fare scales as set out in Appendix 1 to the report except that point 2 be amended to "Each Additional **160 yards** - £0.15" and not "Each Additional **170 yards** - £0.15" and to remit to the Depute Chief Executive/Executive Director of Corporate Support to carry out the statutory procedures; and

- (ii) to remit to the Depute Chief Executive/Executive Director of Corporate Support to submit a further report following the advertisement of the proposals in local newspapers inviting representations or objections.

On a division by a show of hands the amendment was carried by 5 votes to 4.

**PROVISION OF ADDITIONAL WHEELCHAIR ACCESSIBLE VEHICLES  
FOR USE AS LICENSED TAXIS (Item 4, Page 2757, 03/07)**

- 5. There was submitted a report dated 11 December 2007 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which advised of the current situation regarding the number of wheelchair accessible licensed Taxis available and which invited Members to consider allocating additional licences for wheelchair accessible Taxis as found necessary.

It was agreed:-

- (i) that seven additional taxi operators licences be issued for the North Zone, each licence subject to the condition that the vehicle would be, and would remain in perpetuity, capable of carrying a disabled passenger in their wheelchair;
- (ii) that, as previously agreed by Members, the existing policy in respect of the surrender of licence and granting of the same to a nominated successor, be disapplied for a period of three years in respect of the additional licences;
- (iii) that the additional licences be allocated in accordance with the arrangements previously agreed;
- (iv) that the six successful applicants granted operator's licences earlier this year be excluded from this further process; and
- (v) otherwise, to note the contents of the report.

The meeting terminated at 1114 hours.