

EAST AYRSHIRE COUNCIL**LOCAL GOVERNMENT LICENSING PANEL****MINUTES OF SPECIAL MEETING HELD ON THURSDAY 13 NOVEMBER 2008
AT 1000 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS,
LONDON ROAD, KILMARNOCK**

PRESENT: Councillors Hugh Ross, John MacKay, Robert Keohone, John Campbell, Gordon Cree, Neil McGhee 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, Jim Buchanan, Barney Menzies and Elaine Dinwoodie.

CHAIR: Councillor Hugh Ross, Chair.

ORDER OF BUSINESS

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

**REPORT ON THE SCOTTISH GOVERNMENT'S PROPOSALS FOR THE
CREATION OF A SYSTEM OF KNIFE DEALER LICENSING**

2. There was submitted a report dated 29 October 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which apprised the Panel of the details of the Scottish Government's proposals for the creation of a system of knife dealer licensing.

The Panel agreed to note the contents of the report and specifically that, subject to the finalisation of the various statutory instruments, that further detailed proposals in respect of fees and procedures for the licensing of knife dealers would be brought before the Panel for consideration in due course.

ENFORCEMENT OF LATE HOURS CATERING LICENSING CONDITIONS

3. There was submitted a report dated 4 November 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which (i) sought the endorsement of the Licensing Panel in the implementation of the relevant action point which arose from the Joint Local Community Planning Forum, namely the Enforcement of Licensing Conditions for Late Hours Catering Establishments; and (ii) proposed that the Head of Legal, Procurement and Regulatory Services issue a letter to all holders of late hours catering licences reminding them of the conditions pertaining to the licence with specific reference to the requirement of condition 6, as detailed in Appendix 1 to the report in respect of the removal and disposal of litter.

It was agreed:-

- (i) that the Panel endorse the proposed course of action detailed in (ii) above, in implementation of the Local Community Planning Forum action point within the allocated timescale of up to 3 months; and

- (ii) otherwise, note the contents of the report.

PROPOSED REVIEW OF TAXI FARES (Item 3, Page 293, 07/11)

4. There was submitted (a) a report dated 4 November 2008 (circulated) and Appendix 1 (circulated at the meeting) 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 Association; and (b) a replacement page 2 of the report (also circulated at the meeting).

The Panel heard Mr Bobby Morrison on behalf of the Taxi Trade Association (for Kilmarnock area), present the reasons for the request to review the scales for taxi fares and associated charges.

Following discussion, it was agreed that:-

- (i) to ensure all holders of operator plates were consulted, the Head of Legal, Procurement and Regulatory Services write to all holders of operator plates within East Ayrshire and invite comments on the proposed review of taxi fares and specifically request views on fuel surcharge;
- (ii) the Head of Procurement and Legal, Procurement and Regulatory Services report back to a future meeting of the Panel to advise of the findings of the consultation process as outlined in (i) above; and
- (iii) otherwise, to note the contents of the report.

Councillor Jim Roberts left the meeting during consideration of the above item.

**REVIEW OF COUNCIL POLICY ON ADVERTISING ON LICENSED TAXIS
(Item 9, Page 2357, 03/07)**

5. There was submitted a report dated 4 November 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which, following a request from the East Ayrshire Taxi Trade to review Council Policy to permit self advertising on licensed taxis, invited the Panel to review Council policy on advertising on licensed taxis.

The Panel heard Mr Bobby Morrison on behalf of the Taxi Trade Association outline the reasons for the request.

It was agreed:-

- (i) with immediate effect, to permit the full livery self advertising and to disapply the terms of the current regulation on all taxis, taking account of issues relating to decency and safety;
- (ii) that the Depute Chief Executive/Executive Director of Corporate Support amend the current policy accordingly; and
- (iii) otherwise, to note the contents of the report.

**SCOTTISH SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS -
REQUEST FOR SUPPORT TO AMEND LEGISLATION IN RELATION TO
FIREWORKS**

6. There was submitted a report dated 4 November 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which apprised the Panel of correspondence received from the SSPCA which sought to enlist support to amend existing legislation in relation to the sale and use of fireworks.

It was agreed:-

- (i) to support the amendment of existing legislation in relation to the sale and use of fireworks with a recommendation that the proposed restriction to Hogmanay only be amended to include a New Year period of 31 December, 1 and 2 January; and
- (ii) otherwise, to note the contents of the report.

LICENSING ARRANGEMENTS FOR WINDOW CLEANERS'

7. There was submitted a report dated 4 November 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which invited the Panel to consider a review of existing Window Cleaners' licensing arrangements in East Ayrshire.

It was agreed:-

- (i) to endorse the introduction of a revised policy for Window Cleaning licensing which would permit the holder to carry out window cleaning activities for commercial properties only and that any such operator, regardless of the Local Government area home base, require a "Window Cleaner Business" Licence;
- (ii) to remit to the Head of Legal, Procurement and Regulatory Services to proceed with a public information exercise on Window Cleaners' licensing arrangements within East Ayrshire;
- (ii) that the Head of Legal, Procurement and Regulatory Services provide a report setting out proposals for a Window Cleaner Business Licence to a future meeting of the Panel; and
- (iii) otherwise, to note the contents of the report.

The meeting terminated at 1145 hours.