

**EAST AYRSHIRE COUNCIL****LOCAL GOVERNMENT LICENSING PANEL****MINUTES OF MEETING HELD ON THURSDAY 8 MAY 2008 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, Neil McGhee, Jim Roberts, Barney Menzies and Elaine Dinwoodie.

**ATTENDING:** David Mitchell, Head of Legal, Procurement and Regulatory Services; Paul Todd, Principal Officer, Environmental Health and Licensing; George Scott, Licensing Officer; and Sharon McHarg, Administrative Officer.

**APOLOGY:** Councillor Gordon Cree.

**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 3 of Schedule 7A of the Act.

**APPLICATION FOR RENEWAL OF A TAXI DRIVER'S LICENCE -  
ALEXANDER GORMAN****2.1 Declaration of Interest**

Councillor John Campbell declared a non financial interest in accordance with Paragraphs 5.17 and 5.18 of the Code of Conduct and retired from the meeting.

**2.2 Consideration of Item**

There was submitted a report dated 16 April 2008 (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.

**2.3 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, 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.

## **2.4 Decision**

It was agreed that the application for the renewal of a Taxi Driver's Licence be granted.

Councillor John Campbell re-joined the meeting.

### **APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE - ANTHONY MATUSZCZYK**

3. There was submitted a report dated 16 April 2008 (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.

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

## **3.1 Hearing**

The Panel heard Chief Inspector Lawrence, representing Strathclyde Police, in explanation of the Police representations.

## **3.2 Decision**

It was agreed that the application for the renewal of a Taxi Driver's Licence be refused and noted that the applicant would be eligible to re-apply for a licence in one year.

### **APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE - PETER CAIRNEY**

## **4.1 Declaration of Interest**

Councillor Neil McGhee declared a non financial interest in accordance with Paragraphs 5.17 and 5.18 of the Code of Conduct and retired from the meeting.

## **4.2 Consideration of Item**

There was submitted a report dated 16 April 2008 (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.

## **4.1 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, 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.

## 4.2 **Decision**

It was agreed that the application for the renewal of a Taxi Driver's Licence be granted.

Councillor Neil McGhee re-joined the meeting.

### **APPLICATIONS FOR RENEWAL OF LICENCES**

5. It was agreed to consider Agenda Nos 5 and 6 by way of a Conjoined Hearing.

#### 5.1 **Application for the Renewal of a Licence to Keep an Animal Boarding Establishment**

There was submitted a report dated 29 April 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which (i) advised that an application for the renewal of a licence had been made in terms of the Animal Boarding Establishments Act 1963; and (ii) invited the Panel to determine the application by way of a Hearing.

#### 5.2 **Application for Renewal of a Licence to Keep a Dog Breeding and Rearing Establishment**

There was submitted a report dated 29 April 2008 (circulated) by the Depute Chief Executive/Executive Director of Corporate Support which (i) advised that an application for renewal of a licence had been made in terms of the Breeding of Dogs Act 1973, as amended; and (ii) invited the Panel to determine the application by way of a Hearing.

The Panel heard Mr Crawford, Solicitor, representing East Ayrshire Council Trading Standards, in explanation of their representation, and Mrs Baird, the applicant, who spoke to the matters raised, all in accordance with the agreed Hearing Procedure.

Mrs Baird, Mr Crawford and Mr Donnelly, Principal Officer, Trading Standards, left the meeting to enable the Panel to take and consider legal advice on the matter.

#### 5.3 **Adjournment/ Reconvension**

The Panel then adjourned at 1215 hours and re-convened at 1220 hours with the same Members and Officers present and in attendance.

The parties were re-admitted.

#### 5.3 **Decision for Application for Renewal of a Licence to Keep an Animal Boarding Establishment**

It was agreed that the application be refused.

#### 5.4 **Decision for Application for a Licence to Keep a Dog Breeding and Rearing Establishment**

It was agreed that the application be refused.

The meeting terminated at 1248 hours.