

**EAST AYRSHIRE COUNCIL**

**LOCAL GOVERNMENT LICENSING PANEL**

**MINUTES OF SPECIAL MEETING HELD ON WEDNESDAY 9 JUNE 2010 AT 1000 HOURS IN THE COUNCIL CHAMBERS, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillor Rose-Ann Cuninghame, John MacKay, John Campbell, Jim Roberts, Barney Menzies and Elaine Dinwoodie.

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

**APOLOGIES:** Councillors Hugh Ross, Robert Keohone, Gordon Cree and Neil McGhee.

**CHAIR:** Councillor John Campbell, Chair.

**APPLICATION FOR GRANT OF A PUBLIC ENTERTAINMENT LICENCE**

1. It was reported and noted that this item had been withdrawn from the agenda.

**ADJOURNMENT/RECONVENTION**

2. The Panel having been informed that the applicant had not yet arrived, agreed to adjourn at 1005 hours and reconvened at 1020 hours with the same Members and Officers present and in attendance.

**EXCLUSION OF PRESS AND PUBLIC**

3. The Committee 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 item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraph 14 of Schedule 7A of the Act".

**APPLICATION FOR RENEWAL OF A TAXI DRIVER'S LICENCE (EA/TD 1003) - JOHN KERR - CONTINUED HEARING (Item 10, Page 1188, 07/12)**

4. There was submitted a report dated 1 June 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 renewal of a Taxi Driver's Licence (EA/TD 1003).

It was confirmed that John Kerr the applicant and representatives from Strathclyde Police were all in attendance.

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

**4.1 Hearing**

The Panel heard Sergeant Menzies, representing Strathclyde Police, in explanation of the Police's 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 to the decision.

#### **4.2 Decision**

It was agreed that the application for the renewal 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 may be unlikely to be minded to approved any renewal of the licence.

The meeting terminated at 1040 hrs.