

**EAST AYRSHIRE COUNCIL**

**LOCAL GOVERNMENT LICENSING PANEL**

**MINUTES OF MEETING HELD ON THURSDAY 25 AUGUST 2011 AT  
1000 HRS IN THE COUNCIL CHAMBERS, COUNCIL HEADQUARTERS,  
LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors Hugh Ross, John MacKay, Robert Keohone, John Campbell, Gordon Cree, Neil McGhee, Jim Roberts, Barney Menzies and Kathy Morrice.

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

**APOLOGIES:** Councillors Rose-Ann Cuninghame 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 -  
PATRICK MCCRAE**

2. There was submitted a report dated 17 August 2011 (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 representatives from Strathclyde Police were in attendance and that Patrick McCrae, the applicant, was not present or represented.

**2.1 Hearing**

The Panel heard Sergeant Menzies, representing Strathclyde Police in explanation of the Police observation who spoke to all matters raised, all in accordance with the agreed Hearing procedure.

The representatives from Strathclyde Police then left the meeting to enable the Panel to take and consider Legal advice on the matter.

The Police representatives were then re-admitted.

**2.2 Decision**

It was agreed that the application be continued to a future meeting of the Panel to afford the applicant a further and final opportunity to be heard in support of his application.

**APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE  
(1 YEAR EMPLOYEE) - JOHN SMITH**

3. There was submitted a report dated 17 August 2011 (circulated) by the Executive Director of Finance and Corporate Support which invited the Panel to consider, by

way of a Hearing, and application for the grant of a Window Cleaner's Licence (1 year employee).

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

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

### **3.1 Hearing**

The Panel heard Sergeant Menzies, representing Strathclyde Police in explanation of the Police objections and the application who spoke to all matters raised, all in accordance with the agreed Hearing procedure.

In response to the information provided by the applicant during the Hearing, the Legal and Procurement Services Manager sought clarification from the applicant as to whether he was the employer or employee. The applicant confirmed that he was the employer and that the business was a joint partnership.

### **3.2 Adjournment/Reconvention**

The Panel adjourned at 1030 hrs to take legal advice on the matter and reconvened at 1040 hrs with the same Members and officers present and in attendance.

The parties were then re-admitted.

### **3.3 Decision**

It was agreed that the application for the grant of a Window Cleaner's Licence (1 year employee) be withdrawn on the grounds that the application was not competent.

The applicant was advised that he could re-apply for the appropriate licence if he so wished.

## **APPLICATION FOR RENEWAL OF A PRIVATE HIRE CAR OPERATORS LICENCE NO EA/PHC 126 - JAMES IRELAND**

4. There was submitted a report dated 17 August 2011 (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 Private Hire Car Operator's Licence EA/PHC 126.

It was confirmed that the applicant and representatives from Strathclyde Police were 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 observation and the applicant, who spoke to all matters raised, all in accordance with the agreed Hearing procedure.

The applicant and the representatives from Strathclyde Police then left the meeting 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 Private Hire Car Operator's Licence be granted.

The meeting terminated at 1104 hrs.