

**EAST AYRSHIRE COUNCIL**

**LOCAL GOVERNMENT LICENSING PANEL**

**MINUTES OF SPECIAL MEETING HELD ON WEDNESDAY 20 SEPTEMBER 2006  
AT 1500 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS,  
LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors Jim O'Neill, Gordon Cree, Harry Wilson, John Campbell, William Menzies and Neil McGhee.

**ATTENDING:** David Mitchell, Head of Administrative and Legal Services; John Crawford, Head of Protective Services; David Johnstone, Licensing and Community Safety Manager; and Christine Baillie, Administrative Officer.

**APOLOGIES:** Councillors Jim Raymond, John Weir, George Smith and Elaine Stewart.

**CHAIR:** Councillor Jim O'Neill, Chair.

**CHAIR**

1. In the absence of Councillor Raymond, it was unanimously agreed that Councillor O'Neill take the Chair.

**EXCLUSION OF PRESS AND PUBLIC**

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

**ADJOURNMENT/RECONVENTION OF MEETING**

3. The Panel agreed to adjourn the meeting at 1503 hours as the licensee's legal representative had not, as yet, arrived. The Panel reconvened at 1510 hours with the same Members and Officers present and in attendance.

**CONSIDERATION OF SUSPENSION OF TAXI DRIVER'S  
LICENCE NO EA/TD795 (Item 4, Page 2327, 03/07)**

4. There was submitted a report dated 23 August 2006 (circulated) by the Executive Director of Neighbourhood Services which invited the Panel to consider the suspension of Taxi Driver's Licence No EA/TD795 in terms of Paragraph 11 of Schedule 1 to the Civic Government (Scotland) Act 1982.

The Head of Administrative and Legal Services outlined the agreed Hearing Procedure.

**4.1 Hearing**

The Panel heard Acting Chief Inspector Thomson, representing Strathclyde Police, in explanation of the Police observations, and Miss McCluskey, the licensee's legal representative who spoke to the matters raised, all in accordance with the agreed Hearing Procedure.

The licensee, the licensee's legal representative 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 to suspend Taxi Driver's Licence No EA/TD795 for the unexpired portion of the duration of the licence, namely 11 April 2007, in terms of Paragraph 11 of Schedule 1 to the Civic Government (Scotland) Act 1982.

The meeting terminated at 1530 hours.