

EAST AYRSHIRE COUNCIL

LICENSING SUB-COMMITTEE OF THE COMMUNITY SERVICES COMMITTEE

MINUTES OF SPECIAL MEETING HELD ON WEDNESDAY 27 JUNE 2001 AT 1000 HRS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

PRESENT: Councillors Jimmy Carmichael, Brian Reeves, Lilian MacLean, Julie Faulds, Harry Wilson and William Menzies.

ATTENDING: William Stafford, Director of Community Services; John Crawford, Head of Protective Services; David Mitchell, Legal Manager; George Scott, Licensing Officer; Julie Armstrong, Principal Administrative Officer; and Ian Gemmell, Administrative Officer.

APOLOGIES: Councillors Ann Hay, John Weir, David Macrae, Tommy Farrell and Robert Taylor.

CHAIR: Councillor Jimmy Carmichael, Chair.

ORDER OF BUSINESS

The Chair at his discretion, and in terms of Standing Order 15, agreed to alter the order of business and to hold the Hearing in connection with the consideration of suspension of Late Hours Catering Licence No EA/LHC 57 - Hasan Kaplan, at the end of the meeting.

HEARING: CONSIDERATION OF SUSPENSION OF TAXI DRIVER'S LICENCE NO EA/TD/199 - WILLIAM GOUDIE ()

1. There was submitted a report dated 15 June 2001 (circulated) by the Director of Community Services which invited the Sub-Committee to consider by way of a Hearing, suspension of Taxi Driver's Licence No EA/TD 199.

It was reported and noted that the licensee concerned had surrendered his licence.

EXCLUSION OF PRESS AND PUBLIC

2. The Sub-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 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.

HEARING: APPLICATION FOR GRANT OF A TAXI DRIVER'S LICENCE - HUGH O'PRAY

3. There was submitted a report dated 26 April 2001 (circulated) by the Director of Community Services which invited the Committee (a) to consider whether to entertain an out-of-time representation from Strathclyde Police in connection with the above application; and (b) if so, agreed to consider the application by way of a Hearing.

There was also submitted a letter dated 16 March 2001, being a statement of reasons for the late submission of representations in connection with the application.

The applicant and Superintendent Alistair McKie, representing Strathclyde Police, were admitted to the meeting.

Superintendent McKie, on behalf of Strathclyde Police, spoke to the statement of reasons for late submission of representations from Strathclyde Police, and the applicant was given the opportunity to comment thereon.

It was agreed to accept the reasons for late submission of representations and to proceed to a Hearing on the application.

The Chair outlined the Hearing procedure.

3.1 HEARING

There was submitted a letter of representation dated 16 March 2001 from Strathclyde Police, and a letter dated 9 May 2001 from the applicant in support of his application.

The Sub-Committee heard McKie, representing Strathclyde Police, in explanation of the Police representations, and the applicant, who spoke to the matters raised, all in accordance with the agreed Hearing procedure.

The applicant and the Police representatives then left the meeting to enable the Sub-Committee to take and consider legal advice on the matter.

Parties were re-admitted along with the Press and public.

3.2 DECISION

It was agreed to grant the licence subject to the standard conditions.

HEARING: CONSIDERATION OF SUSPENSION OF LATE HOURS CATERING LICENCE NO EA/LHC 57 - HASSAN KAPLAN

4. There was submitted a report dated 26 April 2001 (circulated) by the Director of Community Services which invited the Sub-Committee to consider by way of a Hearing, the suspension of Late Hours Catering Licence No EA/LHC 57.

There was also submitted a letter dated 10 April 2001 from the Depute Clerk to East Ayrshire District Court (circulated).

No Hearing took place as the licensee was not present or represented.

It was agreed:-

- (i) not to suspend the licence; and
- (ii) that the Director of Community Services inform the licensee that further breaches of the conditions attached to the licence may result in suspension.

The meeting terminated at 1020 hours.

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