

**APPENDIX I**

**EAST AYRSHIRE COUNCIL**

**LICENSING SUB-COMMITTEE OF THE COMMUNITY SERVICES COMMITTEE**

**MINUTES OF MEETING HELD ON WEDNESDAY 12 NOVEMBER 1997 AT 1000 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors John Smith, Gordon Cree, Ronald Brailsford, Jane Darnbrough, George Smith, Robert Taylor and Tommy Farrell.

**ATTENDING:** John F Crawford, Head of Protective Services; Douglas Blyth, Senior Solicitor; Julie Armstrong, Senior Administrative Officer; George Scott, Licensing Officer; and Ian Gemmell, Administrative Officer.

**APOLOGY:** Councillor Gordon McCredie.

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

**REVIEW OF TAXI SERVICES - SURVEY AND ANALYSIS (Item 1, Page 2580)**

1. There was submitted a report dated 6 October 1997 (circulated) by the Director of Community Services on the outcome of consultations with representatives of the taxi trade and the Forums on Disability in connection with a proposal that a survey should be commissioned to assist with a review of the level of taxi services provided in the Kilmarnock area.

It was agreed not to proceed with a review of taxi services in the Kilmarnock area.

**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.

**CONSIDERATION OF APPLICATIONS**

- 3.1 **APPLICATION FOR GRANT OF TAXI OPERATOR'S LICENCE: ROBERT MILLAR, 1 CORDON ROAD, KILMARNOCK: HEARING (Item 1, Page 2415)**

There was submitted a report dated 28 October 1997 (circulated) by the Director of Community Services on an application for the grant of a Taxi Operator's Licence.

There were also submitted letters of objection dated 11 June, 12 June and 17 June 1997, and a letter dated 19 August 1997 from the applicant in support of his application (all circulated).

It was noted that Mr Robert Millar Junior, the applicant's son was present, acting as Agent for the applicant.

At the outset, Mr Millar was informed that, in dealing with the application, the Sub-Committee would require to take account of their decision under item 1 above, and it was agreed that should the applicant so request, the application would be continued to a future meeting, to allow the applicant time to consider his representations in the

light of the decision taken by the Sub-Committee. Mr Millar indicated to the Sub-Committee that he understood that he had the opportunity to continue the Hearing but nevertheless requested that the Hearing should proceed at the present meeting.

The Sub-Committee heard Mr T McCluskey, representing the objectors, who spoke in support of the objections and the Agent for Mr Millar, who spoke in support of the application, all in accordance with the agreed Hearing procedure.

The applicant's Agent and the representatives of the objectors then left the meeting.

The Sub-Committee then deliberated on the matter.

Parties were then re-admitted.

### **3.1.1 Decision**

Councillor Taylor, seconded by Councillor Cree moved that the application be refused for the reason that the Sub-Committee was satisfied that there was no significant demand for the services of taxis, (including those adapted for access by disabled people) in the Kilmarnock area which is unmet.

Councillor Brailsford, seconded by Councillor G Smith moved as an amendment that the application be granted.

On a division by a show of hands, the motion was carried by 5 votes to 2.

Parties then withdrew.

### **3.2 APPLICATION FOR GRANT OF A SECOND HAND DEALER'S LICENCE: IAIN MCINNES, 116 GALSTON ROAD, HURLFORD: HEARING**

There was submitted a report dated 28 October 1997 (circulated) by the Director of Community Services on an application for the grant of a Second Hand Dealer's Licence permitting the applicant to deal in motor vehicles, furniture and musical instruments, jewellery, articles made either wholly or mainly of gold, silver and platinum, audio visual appliances and domestic appliances operated by gas or electricity from his address at 116 Galston Road, Hurlford.

There was also submitted a letter of representation dated 26 August 1997 from Strathclyde Police.

The Sub-Committee heard a representative from Strathclyde Police, who spoke to the matters raised. The applicant was not present.

The representative from Strathclyde Police then left the meeting.

The Sub-Committee then deliberated on the matter.

The representative from Strathclyde Police was then re-admitted.

### **Decision**

It was agreed to refuse the application for the reason that the applicant was not a fit and proper person to be the holder of the licence applied for.

The meeting terminated at 1108 hours.