

APPENDIX II

EAST AYRSHIRE COUNCIL

AD-HOC SUB-COMMITTEE OF THE COMMUNITY SERVICES COMMITTEE

MINUTES OF MEETING HELD ON MONDAY 16 DECEMBER 1996 AT 1400 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

PRESENT: Councillors Tommy Farrell, Drew McIntyre, Kathleen Hall and John Smith.

ATTENDING: Kate McVey, Head of Legal Services; Alison Smith, Principal Officer - Registration and Licensing; and Julie Armstrong, Senior Administrative Officer.

APOLOGY: Councillor Jane Darnbrough.

CHAIR: Councillor Tommy Farrell was unanimously nominated and took the Chair.

REMIT FROM EMERGENCY POWERS COMMITTEE (Item 1, Page 1564)

1. There was submitted and noted a report dated 5 December 1996 (circulated) by the Director of Support Services which informed the Sub-Committee of the remit from the Emergency Powers Committee of 5 December 1996.

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 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.

HEARING IN RESPECT OF TAXI DRIVER'S LICENCE: MR JOHN ORR, 47 CAMPBELL COURT, CUMNOCK (Item 4.4.2, Page 1690)

3. There was submitted a report dated 9 December 1996 by the Director of Community Services regarding an application by Mr John Orr, 47 Campbell Court, Cumnock, for renewal of his taxi driver's licence and enclosing letter of objection dated 19 August from Strathclyde Police and letters dated 11 October and 20 November from Agent for the applicant together with the procedure to be followed at the Hearing (all circulated).

It was reported that the applicant and objectors had been invited to attend or be represented in order to speak in support of the application and objection respectively. The Sub-Committee then awaited the appearance of the applicant who arrived 20 minutes late, at 1420 hours.

The Sub-Committee heard the objectors in explanation of their objection to the renewal of the application and the applicant thereafter asked questions of the objector.

The Sub-Committee then heard Mr Orr in support of his application and the objectors asked questions of him.

The Sub-Committee Members then asked questions of both parties.

Parties were given the opportunity to sum up, but neither had anything further to add. Both parties then withdrew.

CONSIDERATION OF ITEM

4.1 RE-ADMISSION OF PRESS AND PUBLIC

After discussion, the applicant and objector were re-admitted.

4.2 DECISION

It was agreed unanimously to refuse the application for renewal on the grounds that the applicant was not a fit and proper person to hold a Taxi Driver's Licence.

The meeting terminated at 1440 hours.