

APPENDIX I

EAST AYRSHIRE COUNCIL

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

**MINUTES OF MEETING HELD ON TUESDAY 26 NOVEMBER 1996 AT 1400
HOURS IN MEETING ROOM 2, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors Bob Beattie, Gordon McCredie and Robert Taylor.

ATTENDING: John Crawford, Head of Protective Services; George Scott, Licensing Officer; Apryl Chalmers, Senior Solicitor; James Lally, Senior Administrative Officer; and Ian Gemmell, Administrative Officer.

APOLOGIES: Councillors Jane Darnbrough and Tommy Farrell.

CHAIR: Councillor Bob Beattie.

REVIEW OF TAXI FARES

1. There was submitted a report dated 20 November 1996 (circulated) by the Director of Community Services requesting the Sub-Committee to review the existing taxi fare structures in force in East Ayrshire.

The Sub-Committee noted the increases proposed by the Kilmarnock and Loudoun Taxi Trades Council in respect of the fare scales in the Northern Zone and that Cumnock Taxi Operators' Association had requested that there be no change in the existing fare scales applied to the Southern Zone.

It was agreed:-

- (i) that, in accordance with the request by Cumnock Taxi Operators' Association, no change should be made in the existing fare scales applicable to the Southern Zone;
- (ii) to continue, until the next meeting of the Sub-Committee, consideration of the fare scales applicable to the Northern Zone;
- (iii) that Members of the Sub-Committee and representatives from the Department of Community Services should meet with representatives of the Kilmarnock & Loudoun Taxi Trades Council prior to the next meeting of the Sub-Committee to discuss the fare increases proposed by the Trades Council; and
- (iv) that the Director of Community Services prepare a further report for consideration at the next meeting of the Sub-Committee, following the meeting with Kilmarnock and Loudoun Taxi Trades Council, suggesting alternative formulae for fixing the fare scales and illustrating the effect of a range of percentage increases on taxi fares.

CONSIDERATION OF APPLICATIONS

2.1 APPLICATION FOR GRANT OF A PUBLIC ENTERTAINMENT LICENCE: MR DAVID McKENZIE, 21 THE PADDOCK, PERCETON, IRVINE

There was submitted a report dated 31 October 1996 (circulated) by the Director of Community Services in respect of an application by Mr David McKenzie for a Public Entertainment Licence in respect of his premises at 36-40 Grange Street, Kilmarnock.

Having considered letter of representation dated 10 October 1996 from Strathclyde Police, and letters dated 27 August and 17 November 1996 from the applicant in support of his application, (all circulated) it was agreed to continue consideration of this application to a future meeting which would take the form of a Hearing to which the applicant and Strathclyde Police would be invited to appear, or to be represented at, to speak to the matters raised.

2.2 APPLICATION FOR GRANT OF TAXI OPERATOR'S LICENCE: MR JAMES WATSON, 9 MacDONALD PLACE, KILMARNOCK

There was submitted a report dated 19 November 1996 (circulated) by the Director of Community Services requesting consideration of an application by Mr James Watson, 9 MacDonald Place, Kilmarnock, for grant of a Taxi Operator's Licence.

Having considered letters of representation dated 25 September and 15 November 1996 from the applicant in support of his application, (all circulated) it was agreed to grant a Taxi Operator's Licence, subject to the standard conditions and the following additional conditions, viz:-

- (i) that the licence would be valid only in respect of the "Metro Cab", capable of carrying a wheelchair-bound disabled person in their wheelchair, and otherwise capable of carrying six passengers; and
- (ii) that a form of badge or legend, to be approved by the Director of Community Services, be affixed to the vehicle while in use as a taxi, signifying that it is suitable for carrying disabled passengers.

EXCLUSION OF PRESS AND PUBLIC

3. The Sub-Committee resolved that under Paragraph 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

4.1 APPLICATION FOR GRANT OF STREET TRADER'S LICENCE: MR STEPHEN MILLIGAN, C/O 1 BRINGAN ROAD, KILMARNOCK

There was submitted a report dated 31 October 1996 (circulated) by the Director of Community Services requesting consideration of an application for grant of a Street Trader's Licence.

Having considered a letter of representation dated 30 September 1996 from Strathclyde Police (circulated), and a letter dated 6 November 1996 from the applicant (circulated), in support of his application, it was agreed to continue consideration of the application to a future meeting which would take the form of a Hearing, to which the applicant and Strathclyde Police would be invited to appear, or to be represented at, to speak to the matters raised.

4.2 APPLICATION FOR GRANT OF PRIVATE HIRE CAR OPERATOR'S LICENCE: MS CAROLINE LUSK, 1 GROUGAR ROAD, CROOKEDHOLM, KILMARNOCK

There was submitted a report dated 7 November 1996 (circulated) by the Director of Community Services requesting consideration of an application for grant of a Private Hire Car Operator's Licence.

Having considered a letter of representation dated 31 October 1996 (circulated) from Strathclyde Police, it was agreed to continue consideration of the application to a future meeting which would take the form of a Hearing to which the applicant and Strathclyde Police would be invited to appear, or to be represented at, to speak to the matters raised.

4.3.1 HEARING IN RESPECT OF PRIVATE HIRE CAR LICENCES: MRS ALISON GIBSON, 1 DALVENNAN AVENUE, PATNA (Item 4.1, Page 1541)

There was re-submitted a report dated 7 October 1996 (circulated) by the Director of Community Services in respect of applications for the renewal of two Private Hire Car Licences, together with a letter of representation dated 16 October 1996 (circulated) by Strathclyde Police.

It was also reported that in accordance with the decision of the Sub-Committee at their meeting on 17 October 1996, the applicant had been invited to appear, or to be represented, in order to speak to the matters raised.

The Sub-Committee heard the applicant in explanation of the matters raised and the Sub-Committee Members asked questions.

The applicant then left the meeting.

4.3.2 CONSIDERATION OF ITEM

The Sub-Committee then deliberated in private.

4.3.3 RE-ADMISSION OF PRESS AND PUBLIC

The applicant, press and public were re-admitted.

4.3.4 DECISION

To grant the applications for the renewal of the Private Hire Car Operators' Licences subject to the standard conditions.

4.4.1 EXCLUSION OF PRESS AND PUBLIC

Agreed under previous Section and Paragraph to exclude the press and public.

4.4.2 HEARING IN RESPECT OF RENEWAL OF TAXI DRIVER'S LICENCE: MR JOHN ORR, 47 CAMPBELL COURT, CUMNOCK (Item 4.2, Page 1541)

There was re-submitted a report dated 7 October 1996 (circulated) by the Director of Community Services requesting consideration of an application for the renewal of a Taxi Driver's Licence by Mr John Orr, 47 Campbell Court, Cumnock. There were also submitted letters dated 11 October and 20 November 1996 from the applicant's Agent in support of his application and a letter of objection dated 19 August 1996 from Strathclyde Police. (All circulated).

The Sub-Committee heard Mr Agnew in support of his application, and the representatives of Strathclyde Police in support of the Police objection, and the Sub-Committee Members asked questions.

The applicant then left the meeting.

4.4.3 CONSIDERATION OF ITEM

The Sub-Committee then deliberated in private.

4.4.4 RE-ADMISSION OF PRESS AND PUBLIC

The applicant, press and public were re-admitted.

4.4.5 DECISION

It was agreed to refuse the application.

The meeting ended at 1455 hours.