

APPENDIX I

EAST AYRSHIRE COUNCIL

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

**MINUTES OF MEETING HELD ON THURSDAY 23 JANUARY 1997 AT 1100
HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

PRESENT: Councillors Bob Beattie, Gordon McCredie and Jane Darnbrough.

ATTENDING: John Crawford, Head of Protective Services; Irene Townson, Principal Solicitor; Alison Smith, Principal Officer (Registration and Licensing); Julie Armstrong, Senior Administrative Officer; and Ian Gemmell, Administrative Officer.

CHAIR: Councillor Bob Beattie, Chair.

APOLOGIES: Councillors Robert Taylor and Tommy Farrell.

ORDER OF BUSINESS

1. The Chair agreed to alter consideration of business from the order shown on the Agenda to that set out hereafter.

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 APPLICATION FOR GRANT OF STREET TRADER'S
LICENCE: STEPHEN MILLIGAN, C/O 1 BRINGAN ROAD, KILMARNOCK
(Item 4.1, Page 1688)**

3. There was re-submitted a report dated 31 October 1996 (circulated) by the Director of Community Services in respect of an application by Mr Stephen Milligan, c/o 1 Bringan Road, Kilmarnock, for the grant of a Street Trader's Licence.

There was also submitted a letter of representation dated 30 September 1996 from Strathclyde Police (circulated), and a letter dated 6 November 1996 (circulated) from the applicant in support of his application.

It was reported, that in accordance with the decision of the Sub-Committee at their meeting on 26 November 1996, the applicant and Strathclyde Police had been invited to appear, or to be represented, in order to speak to the matters raised.

The Sub-Committee heard Mr Milligan and his agent, both of whom spoke in support of the application, the representatives of Strathclyde Police in support of the Police representations, and the Sub-Committee Members asked questions, all in accordance with the agreed hearing procedure.

The applicant, his Agent, and the Police representatives then left the meeting.

The Sub-Committee then deliberated in private.

Both parties were then re-admitted.

3.1 DECISION

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

RE-ADMISSION OF PRESS AND PUBLIC

4. The Press and public were then re-admitted.

HEARING IN RESPECT OF APPLICATION FOR GRANT OF PUBLIC ENTERTAINMENT LICENCE: DAVID MACKENZIE, 21 THE PADDOCK, PERCETON, IRVINE (Item 2.1, Page 1688)

5. There was re-submitted a report dated 31 October 1996 (circulated) by the Director of Community Services, regarding an application by Mr David MacKenzie for the grant of a Public Entertainment Licence in respect of the premises known as The Garage, 36-40 Grange Street, Kilmarnock, to open between the following hours:- Monday to Saturday - 9 a.m. until 11 a.m., and 2 a.m. until 4 a.m. the following morning; and Sunday - 9 a.m. until 12.30 p.m., and 2 a.m. until 4 a.m. the following morning.

There were also submitted letters dated 27 August and 17 November 1996 from the applicant in support of his application, and a letter dated 10 October 1996 from Strathclyde Police confirming that there was no Police objection in principle to the issue of a Public Entertainment Licence in respect of the premises concerned, but making representation in respect of the proposal that the premises should be open for business after 2 a.m. (all circulated).

The Sub-Committee heard Mr MacKenzie and his Agent, both of whom spoke in support of the application, and the representatives of Strathclyde Police in support of the Police comments, all in accordance with the agreed hearing procedure.

The applicant, his Agent and the Police representatives then left the meeting.

The Sub-Committee then deliberated on the matter.

Both parties were then re-admitted.

5.1 DECISION

It was agreed to grant a Public Entertainment Licence in respect of the premises known as The Garage, 36-40 Grange Street, Kilmarnock, in respect of the following hours only, viz:- (a) Monday to Saturday - 9 a.m. until 11 a.m.; and (b) Sunday - 9 a.m. until 12.30 p.m.

EXCLUSION OF PRESS AND PUBLIC

6. 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 APPLICATION FOR GRANT OF PRIVATE HIRE CAR OPERATOR'S LICENCE: CAROLINE LUSK, 1 GROUGAR ROAD, CROOKEDHOLM, KILMARNOCK (Item 4.2, Page 1689)

7. There was re-submitted a report dated 7 November 1996 (circulated) by the Director of Community Services in respect of an application by Caroline Lusk, 1 Grougar Road, Crookedholm, Kilmarnock, for the grant of a Private Hire Car Operator's Licence.

There was also submitted a letter of representation dated 31 October 1996 from Strathclyde Police and letter dated 28 October 1996 from the applicant.

It was also reported that in accordance with the decision of the Sub-Committee at their meeting on 26 November 1996, the applicant had been invited to appear or to be represented, in order to speak in support of her application, but was not present.

It was agreed to continue consideration of the above application to the next meeting of the Sub-Committee in order to afford the applicant a further opportunity to appear or to be represented.

APPLICATION FOR RENEWAL OF A TAXI DRIVER'S LICENCE: JOHN DOCHERTY, 83 LOTHIAN ROAD, STEWARTON

8. There was submitted a report dated 7 January 1997 (circulated) by the Director of Community Services in respect of an application for renewal of a Taxi Driver's Licence.

Having considered a letter of representation dated 13 November 1996 (circulated) by Strathclyde Police, it was agreed to continue consideration of this matter 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, and to speak to the matters raised.

APPLICATION FOR GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE: CAROLINE LUSK, 1 GROUGAR ROAD, CROOKEDHOLM, KILMARNOCK

9. There was submitted a report dated 7 January 1997 (circulated) by the Director of Community Services in respect of an application for grant of a Private Hire Car Driver's Licence.

Having considered a letter of representation dated 31 October 1996 (circulated) by Strathclyde Police, it was agreed to continue consideration of this matter 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, and to speak to the matters raised.

**APPLICATION FOR RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE:
ALISON GIBSON, 1 DALVENNAN AVENUE, PATNA**

10. There was submitted a report dated 7 January 1997 (circulated) by the Director of Community Services in respect of an application for renewal of a Private Hire Car Driver's Licence.

Having considered a letter of representation dated 27 November 1996 (circulated) by Strathclyde Police, it was agreed to grant the application for the renewal of the Private Hire Car Driver's Licence, subject to the standard conditions.

**APPLICATION FOR GRANT OF A LATE HOURS CATERING LICENCE: AYSE
COBANOGLU, 32 BOWMORE COURT, IRVINE**

11. There was submitted a report dated 7 January 1997 (circulated) by the Director of Community Services regarding an application for the grant of a Late Hours Catering Licence in respect of the premises at 8 The Square, Cumnock.

Having considered a letter of representation dated 4 December 1996 (circulated) by Strathclyde Police, it was agreed to refuse the grant of the licence.

RE-ADMISSION OF PRESS AND PUBLIC

12. The Press and Public were re-admitted.

REVIEW OF TAXI FARES (Item 1, Page 1687)

13. The Director of Community Services reported that, in order to allow the Sub-Committee to fix scales for taxi fares and associated charges in the Northern zone, the representatives of the taxi operators, ie Kilmarnock and Loudoun Taxi Trades Council, had been consulted and the following proposals had been made in relation to fare scales as follows:-

- (i) to increase the flag drop cost from £1.15 for a distance not exceeding 1,100 yards to £2.00 for a distance not exceeding 2,816 yards (1.6 miles). (The taxi fare thereafter to remain at the current rate, ie for each additional 195 yards or part thereof - 10p);
- (ii) to increase the surcharge for hires begun between midnight and 6 a.m. from 45p to 50p;
- (iii) to increase the surcharge chargeable on 25 and 26 December and 1 and 2 January from 50% to 100%; and
- (iv) to increase the charge of £1.00 when a taxi is called, but not used, to £1.50.

It was agreed:-

- (i) to propose fares as shown above; and
- (ii) that it be remitted to the Director of Community Services to undertake the necessary statutory procedures under the Civic Government (Scotland) Act 1982 to implement the proposed review.

The meeting terminated at 1240 hours.