

**EAST AYRSHIRE COUNCIL**

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

**MINUTES OF MEETING HELD ON MONDAY 3 MARCH 1997 AT 1400 HOURS IN  
THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD,  
KILMARNOCK**

**PRESENT:** Councillors Bob Beattie, Jane Darnbrough and Tommy Farrell.

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

**CHAIR:** Councillor Bob Beattie, Chair.

**APOLOGIES:** Councillors Gordon McCredie and Robert Taylor.

**COMMERCIAL ADVERTISING ON LICENSED TAXIS**

1. There was submitted a report dated 20 February 1997 (circulated) by the Director of Community Services on a request by Taxi Media, London, for approval to allow advertising on taxis licensed by East Ayrshire.

There were also circulated photographs illustrating the proposed advertisement.

It was agreed:-

- (i) to refuse the request by Taxi Media on behalf of their clients, Yellow Pages; and
- (ii) to prohibit any commercial advertising on taxis and private hire cars.

**STREET TRADERS' LICENCES: BREACHES OF CONDITIONS**

2. There was submitted a report dated 20 February 1997 (circulated) by the Director of Community Services advising of breaches of licensing conditions by licensed Street Traders, Phedra McIndoe, 68 Doonfoot Road, Ayr (Licence No EA/ST71); Andrew Murphy, 22 Croft Street, Tarbolton (Licence No EA/ST72); and Matthew Cross, 12 Ross Street, Ayr (Licence No KL/ST18).

It was agreed to continue consideration of this matter in order that the three aftermentioned licensees and/or their representatives be invited to attend a future meeting of this Sub-Committee to take the form of a Hearing, at which time consideration would be given whether to suspend each of their Street Trader licences in terms of paragraph 11 of Schedule 1 to the Civic Government (Scotland) Act 1982 and at which the licensees concerned, or their agents, would be given the opportunity to speak to the matters raised.

**EXCLUSION OF PRESS AND PUBLIC**

3. The Sub-Committee resolved that under paragraph 50A(\$ ) 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 to the Act.

## **CONSIDERATION OF APPLICATIONS**

### **4.1 APPLICATION FOR GRANT OF PRIVATE HIRE CAR OPERATOR'S LICENCE: PAUL ROUTH, 6 CREELSHAUGH ROAD, FENWICK**

There was submitted a report dated 20 February 1997 (circulated) by the Director of Community Services on an application for grant of a Private Hire Car Operator's Licence.

Having considered a letter of representation dated 6 January 1997 from Strathclyde Police (circulated), and a letter dated 16 February 1997 from the applicant (circulated), in support of his application, it was agreed to grant the licence, subject to the standard conditions.

### **4.2 HEARING IN RESPECT OF APPLICATIONS FOR GRANT OF A PRIVATE HIRE CAR OPERATOR'S LICENCE AND A PRIVATE HIRE CAR DRIVER'S LICENCE: CAROLINE LUSK, 1 GROUGAR ROAD, CROOKEDHOLM, KILMARNOCK (Item 4.2, Page 1689)**

There were re-submitted reports dated 7 November 1996 and 7 January 1997 (circulated) by the Director of Community Services in respect of applications for the grant of a Private Hire Car Operator's Licence and a Private Hire Car Driver's Licence, together with a letter of representation dated 31 October 1996 from Strathclyde Police, and a letter from the applicant dated 28 October 1996 (all circulated)

The Sub-Committee heard the agent for Mrs Lusk, who was also present, who spoke in support of the application, and the representatives of Strathclyde Police, all in accordance with the agreed Hearing Procedure.

The applicant, her agent, the Police and Community Services representatives then left the meeting.

The Sub-Committee then deliberated on the matter.

Parties were then re-admitted.

#### **4.2.1 DECISION**

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

Parties then withdrew.

### **4.3 HEARING IN RESPECT OF APPLICATION FOR RENEWAL OF A TAXI DRIVER'S LICENCE: JOHN DOCHERTY, 83 LOTHIAN ROAD, STEWARTON**

Noted that the above item of business had been withdrawn from the Agenda, and that a further report on the application would be submitted for consideration at a future meeting of the Sub-Committee.

### **4.4 HEARING IN RESPECT OF A STREET TRADER'S LICENCE: GARY STEWART, 49 WATSON TERRACE, DRONGAN (Item 2, Page 1881)**

There was submitted a report dated 25 February 1997 (circulated) by the Director of Community Services relative to the possible suspension in terms of paragraph 11 of Schedule 1 to the Civic Government (Scotland) Act 1982, of the Street Trader's Licences held by Gary Stewart, 49 Watson Terrace, Drongan, and providing details of the complaint.

The Sub-Committee heard the agent for Mr Stewart, who was also present, who spoke to the matters raised, and the representatives of Strathclyde Police in support of the Police representations, all in accordance with the agreed Hearing Procedure.

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

The Sub-Committee then deliberated on the matter.

Parties were then re-admitted.

#### **4.4.1 DECISION**

It was agreed:-

- (i) to suspend Street Traders Licences Nos ST149 and ST253, in terms of paragraph 11 of Schedule 1 to the Civic Government (Scotland) Act 1982; and
- (ii) that the said suspension should have immediate effect, in terms of paragraph 11 (10) of Schedule 1 to the Act.

The meeting terminated at 1520 hours.