

**APPENDIX I****EAST AYRSHIRE COUNCIL****LICENSING SUB-COMMITTEE OF THE COMMUNITY SERVICES COMMITTEE****MINUTES OF MEETING HELD ON 11 NOVEMBER 1998 AT 1000 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

**PRESENT:** Councillors John Smith, Gordon Cree, Alan Campbell, Jane Darnbrough, Ann Hay and George Smith

**ATTENDING:** John F Crawford, Head of Protective Services; David Mitchell, Principal Solicitor; Alison J Smith, Principal Officer (Registration and Licensing); Bob Pollock, Police Liaison Officer; Hugh Mitchell, Police Liaison Officer; James Lally, Senior Administrative Officer; Irene Brydie, Solicitor; and Ian Gemmell, Administrative Officer.

**APOLOGIES:** Councillors George Turnbull and Tommy Farrell.

**CHAIR:** Councillor John Smith Chair.

**PROCEDURE FOR DETERMINING APPLICATIONS FOLLOWING HEARINGS**

The Chair advised the Sub-Committee of the procedure he proposed to adopt for the determination of applications following Hearings, ie that the Members, in each case, would be asked to vote by a show of hands for grant and for refusal respectively, the application to be determined by a majority vote.

**EXCLUSION OF PRESS AND PUBLIC**

1. 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 during the Hearing Process related to Items 2, 3 and 4 of the Agenda and that the Press and public be excluded from the meeting during consideration of Items 5, 6 and 7 on the grounds that the relevant business involved the likely disclosure of exempt information as defined in Paragraph 3 of Schedule 7A of the Act.

**CONSIDERATION OF APPLICATIONS**

2. **HEARING: APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE:  
WILLIAM McCHESNEY, 9 ROTHESAY PLACE, KILMARNOCK  
(Item 3, Page 3857)**

There was submitted a report dated 20 October 1998 (circulated) by the Director of Community Services on an application for the grant of a window cleaner's licence.

There was also submitted a letter of objection dated 12 August 1998 from Strathclyde Police (circulated).

The Sub-Committee heard Superintendent Alastair McNaughton, representing Strathclyde Police, in explanation of the Police representations, in accordance with the agreed Hearing Procedure. The applicant was not present or represented.

The Police Representatives then left the meeting.

The Sub-Committee then deliberated on the matter.

The Police Representatives were then re-admitted along with the Press and public.

### **2.1 Decision**

It was unanimously agreed to refuse to grant the licence.

### **3. HEARING: APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE: GARY SMITH, 33B WATERSIDE STREET, KILMARNOCK (Item 14, Page 3857)**

There was submitted a report dated 20 October 1998 (circulated) by the Director of Community Services on an application for the grant of a window cleaner's licence.

There were also submitted letters dated 25 August 1998 and 6 October 1998 from Strathclyde Police (both circulated).

The Sub-Committee heard the applicant, who spoke to the matters raised and Superintendent Alastair McNaughton, representing Strathclyde Police, who advised that Strathclyde Police had no representations or objections to make on the application.

The applicant and the Police Representatives then left the meeting.

The Sub-Committee then deliberated on the matter.

Parties were then re-admitted along with the Press and public.

### **3.1 Decision**

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

Parties then withdrew.

### **4. HEARING: APPLICATION FOR THE GRANT OF A SECOND HAND DEALER'S (MOTOR VEHICLES) LICENCE: BRENDAN McFARLANE, RODINGSIDE COTTAGE, RODINGHEAD, MAUCHLINE (Item 12, Page 3857)**

There was submitted a report dated 20 October 1998 (circulated) by the Director of Community Services on an application for the grant of a Second Hand Dealer's (Motor Vehicles) Licence.

The Sub-Committee heard the applicant, who spoke to the matters raised, and Superintendent David Johnstone, representing Strathclyde Police, in explanation of the Police representations, and the Sub-Committee questioned the applicant, all in accordance with the agreed Hearing Procedure.

## **ADJOURNMENTS**

### **4.1** The Sub-Committee agreed to adjourn the meeting at 1025 hours, reconvening at 1030 hours with the same Members and Officers present. The Sub-Committee further questioned the applicant. The Sub-Committee agreed to further adjourn the meeting at 1037 hours and the meeting reconvened at 1043 hours with the same Members and Officers present. The sub-Committee further questioned the applicant.

The applicant and the Police Representatives then left the meeting and the Sub-Committee deliberated on the application.

#### **4.2 Decision**

On a vote being taken by a show of hands, there voted two for granting the licence and three for refusal of the application and accordingly, it was agreed to refuse to grant the licence.

The parties were then re-admitted along with the Press and public

#### **5. APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE: IAN ALEXANDER, 11C LUSSET VIEW, CLYDEBANK**

There was submitted a report dated 20 October 1998 (circulated) by the Director of Community Services on an application for the grant of a Window Cleaner's Licence.

Having considered a letter of representation dated 23 September 1998 from Strathclyde Police (circulated), it was agreed to grant the licence subject to the standard conditions.

#### **6. APPLICATION FOR THE GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE: JOHN TONNER, 3 WITCHHILL PLACE, KILMARNOCK**

There was submitted a report dated 20 October 1998 (circulated) by the Director of Community Services on an application for the grant of a Private Hire Car Driver's Licence.

Having considered a letter of representation dated 11 September 1998 from Strathclyde Police (circulated) it was agreed to grant the licence subject to the standard conditions.

#### **7. APPLICATION FOR RENEWAL OF A TAXI DRIVER'S LICENCE: WILLIAM CAMPBELL, 30 PENTLAND ROAD, KILMARNOCK**

There was submitted a report dated 20 October 1998 (circulated) by the Director of Community Services on an application for the renewal of a Taxi Driver's Licence.

Having considered a letter of representation dated 11 September 1998 from Strathclyde Police (circulated) it was agreed to grant the licence subject to the standard conditions.

The meeting terminated at 1110 hours.