

APPENDIX III**EAST AYRSHIRE COUNCIL****LICENSING SUB-COMMITTEE OF THE COMMUNITY SERVICES COMMITTEE****MINUTES OF MEETING HELD ON WEDNESDAY 30 SEPTEMBER 1998 AT 1000 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK**

PRESENT: Councillors John Smith, Jane Darnbrough, Alan Campbell, Ann Hay, George Turnbull, George Smith, Robert Taylor and Tommy Farrell.

ATTENDING: John F Crawford, Head of Protective Services; George Scott, Licensing Officer; David Mitchell, Principal Solicitor; Julie Armstrong, Senior Administrative Officer; Irene Brydie, Solicitor; and Ian Gemmell, Administrative Officer.

APOLOGIES: Councillors Gordon McCredie and Gordon Cree.

CHAIR: Councillor John Smith, Chair.

REVIEW OF TAXI FARES

1. There was submitted a report dated 10 September 1998 (circulated) by the Director of Community Services to consider fixing scales for taxi fares and associated charges, taking into account requests by representatives of the Taxi Trade.

It was agreed:-

- (i) in respect of the Northern Zone, to propose amendments to taxi fares and associated charges as shown below:-
 - Fares by distance 0 to 2,640 yards - £2.20 (current fare - £2.00);*
 - Stage Distance - 176 yards - 10p (current stage distance - 195 yards);*
 - Other Charges - Waiting time - 80p per five minutes (current charge - 70p per five minutes) and; Luggage Handling Charge - Nil (Current charge - 10p);*
- (ii) in respect of the Southern Zone, to propose amendments to taxi fares and associated charges as shown below:-
 - Fares by distance 0 to 1,320 yards - £1.30 (current fare - £1.10);*
 - Stage Fare - 1320 yards - 14p (current stage fare - 12p);*
 - Other Charges - Minimum charge for waiting time - 70p per 5 minutes (current charge - 60p); Charge for luggage not easily carried within the vehicle - 10p (current charge - nil); and charge for cleaning of vehicle where fouled by a customer - £30.00 (not currently provided for); and*
- (iii) that the Director of Community Services undertake the necessary statutory procedures under the Civic Government (Scotland) Act 1982 to implement the review.

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 during the Hearing process related to 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

3. **HEARING: APPLICATION FOR RENEWAL OF A TAXI DRIVER'S LICENCE: JOHN CAIRNIE, 153 LORENY DRIVE, KILMARNOCK (Item 5.2, Page 3662)**

There was submitted a report dated 10 September 1998 (circulated) by the Director of Community Services on an application for the renewal of a Taxi Driver's Licence.

There were also submitted a letter of objection dated 12 June 1998 from Strathclyde Police and two letters dated 13 August 1998 from the applicant's Agents in support of the application (all circulated).

The Sub-Committee heard the applicant's Agent, who spoke to the matters raised and Superintendent Alistair McNaughton, representing Strathclyde Police, in explanation of the Police objection, 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.

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

3.1 Decision

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

Parties then withdrew.

4. **HEARING: APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE: ALAN BROWN, 6 MURRAY PLACE, KILMARNOCK (Item 5.7, Page 3663)**

There was submitted a report dated 10 September 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 27 July 1998 from Strathclyde Police and a letter, undated, received on 13 August 1998 from the applicant in support of his application (both circulated).

The Sub-Committee heard the applicant, who spoke to the matters raised, and Superintendent Alistair McNaughton, representing Strathclyde Police, in explanation of the Police objection, all in accordance with the agreed Hearing procedure.

The applicant and the Police representatives then left the meeting.

The Sub-Committee then deliberated on the matter.

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

4.1 Decision

It was agreed to refuse to grant the licence, for the reason that the applicant was not a fit and proper person to be the holder of the licence applied for.

Parties then withdrew.

5. HEARING: APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE: THOMAS BROWN, 88 ALTONHILL AVENUE, KILMARNOCK (Item 5.8, Page 3664)

There was submitted a report dated 10 September 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 27 July 1998, and a letter dated 12 August 1998 from the applicant in support of the application, enclosing two letters of support from customers (all circulated).

The Sub-Committee heard the applicant's Agent, who spoke to the matters raised and Superintendent Alistair McNaughton, representing Strathclyde Police, in explanation of the Police objection, 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.

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

5.1 Decision

Councillor Taylor, seconded by Councillor Darnbrough, moved that the application be refused for the reason that the applicant was not a fit and proper person to be the holder of the licence applied for.

Councillor George Smith, seconded by Councillor Campbell, moved as an amendment that the licence be granted subject to the standard conditions.

On a division by a show of hands the motion was carried by five votes to three.

Parties then withdrew.

6. HEARING: APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE: JOHN FERRANS, 45 EAST PARK DRIVE, KILMAURS (Item 5.9, Page 3664)

There was submitted a report dated 10 September 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 30 July 1998 from Strathclyde Police, and a letter dated 17 August 1998 from the applicant's agents, in support of the application (both circulated).

The Sub-Committee heard the applicant, who spoke to the matters raised and Superintendent Alistair McNaughton, representing Strathclyde Police, in explanation of the Police objection, all in accordance with the agreed Hearing procedure.

The applicant and the Police representatives then left the meeting.

The Sub-Committee then deliberated on the matter.

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

6.1 Decision

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

Parties then withdrew.

Councillor Hay left the meeting at this point.

7. HEARING: APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE: WAYNE MCKENNA, 65 AUCHENCAR DRIVE, KILMARNOCK (Item 5.15, Page 3665)

There was submitted a report dated 10 September 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 27 July 1998 from Strathclyde Police and a letter, undated, received on 12 August 1998 from the applicant in support of his application (both circulated).

The Sub-Committee heard the applicant, who spoke to the matters raised, and Superintendent Alistair McNaughton, representing Strathclyde Police, in explanation of the Police objection, all in accordance with the agreed Hearing procedure.

The applicant and the Police representatives then left the meeting.

The Sub-Committee then deliberated on the matter.

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

7.1 Decision

It was agreed to refuse the application for the reason that the applicant was not a fit and proper person to be the holder of the licence applied for.

Councillor Campbell intimated his dissent to the decision.

8. APPLICATION FOR GRANT OF A TAXI DRIVER'S LICENCE: EDWARD MCMURDO, 6 MEAGHER COURT, CUMNOCK

There was submitted a report dated 10 September 1998 (circulated) by the Director of Community Services on an application for the grant of a Taxi Driver's Licence.

Having considered a letter of representation dated 12 August 1998 from Strathclyde Police, it was agreed to grant the licence subject to the standard conditions.

9. APPLICATION FOR RENEWAL OF A PRIVATE HIRE CAR OPERATOR'S LICENCE: HUGH COWAN, CARRICKVIEW, COALHALL

There was submitted a report dated 10 September 1998 (circulated) by the Director of Community Services on an application for renewal of a Private Hire Car Operator's Licence.

Having considered a letter of representation dated 8 August 1998 from Strathclyde Police and a letter, undated, received on 24 September 1998 from the applicant in support of his application, it was agreed to grant the licence subject to the standard conditions.

10. APPLICATION FOR RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE: HUGH COWAN, CARRICKVIEW, COALHALL

There was submitted a report dated 10 September 1998 (circulated) by the Director of Community Services on an application for the renewal of a Private Hire Car Driver's Licence.

Having considered a letter of representation dated 8 August 1998 from Strathclyde Police, and a letter, undated, received on 24 September 1998 from the applicant in

support of his application, it was agreed to grant the licence subject to the standard conditions.

11. APPLICATION FOR GRANT OF A STREET TRADER'S LICENCE: VINCENT CASSIDY, 58E FRASER WALK, KILMARNOCK

There was submitted a report dated 10 September 1998 (circulated) by the Director of Community Services on an application for the grant of a Street Trader's Licence.

Having considered a letter of representation dated 6 August 1998 from Strathclyde Police, and a letter dated 21 September 1998 from the applicant in support of his application, it was agreed to grant the licence subject to the standard conditions.

12. APPLICATION FOR GRANT OF A SECOND HAND DEALER'S (MOTOR VEHICLES) LICENCE: BRENDAN MCFARLANE, RODINGSIDE COTTAGE, RODINGHEAD, MAUCHLINE

There was submitted a report dated 10 September 1998 (circulated) by the Director of Community Services on an application for the grant of a Second Hand Dealer's (Motor Vehicles) Licence.

Having considered a letter of representation dated 4 August 1998 from Strathclyde Police, and a letter dated 17 September 1998 from the applicant in support of his application, 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.

13. APPLICATION FOR GRANT OF WINDOW CLEANER'S LICENCE: WILLIAM MCCHESENEY, 9 ROTHESAY PLACE, KILMARNOCK

There was submitted a report dated 10 September 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 12 August 1998 from 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.

14. APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE: GARY SMITH, 33B WATERSIDE STREET, KILMARNOCK

There was submitted a report dated 10 September 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 25 August 1998 from 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.

The meeting terminated at 1215 hours.