

APPENDIX IV

EAST AYRSHIRE COUNCIL

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

**MINUTES OF MEETING HELD ON THURSDAY 29 AUGUST 1996 AT 1400
HOURS IN MEETING ROOM 1, COUNCIL HEADQUARTERS, LONDON ROAD,
KILMARNOCK**

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

ATTENDING: 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.

ALL-CASH MACHINES IN AMUSEMENT ARCADES

1. There was submitted a report dated 21 August 1996 (circulated) by the Director of Community Services to advise the Sub-Committee of changes to the Gaming Act 1968 consequent on the Deregulation (Gaming Machines and Betting Office Facilities) Order 1996, which came into force on 20 June 1996.

It was agreed:-

- (i) to set the fee to be paid on issue of a permit under Section 34 of the Act at £250; and
- (ii) otherwise to note the report.

CONSIDERATION OF APPLICATIONS

2.1 APPLICATION BY MR MOHAMMED ASHRAF, NEWMILNS

There was submitted a report dated 21 August 1996 (circulated) by the Director of Community Services, providing details of an application by Mohammed Ashraf for the grant of a Late Hours Catering Licence.

It was agreed to grant a Late Hours Catering Licence to the applicant in respect of his premises at 47 Main Street, Newmilns, subject to the standard conditions and that the premises ' opening hours be from 2300 hours to 0030 hours every day.

2.2 BREACH OF LICENCE CONDITIONS: MR BRIAN NEWMAN, KILMARNOCK

There was submitted a report dated 21 August 1996 (circulated) by the Director of Community Services to allow the Sub-Committee to consider a report on licensed Taxi Operator, Mr Brian Newman, 68 Peatland Quadrant, Kilmarnock.

It was agreed that the Director of Community Services to:-

- (i) write to the licensee, making reference to his breach of licence conditions, and informing him that a further breach of conditions may lead to suspension of his Taxi Operator's licence;
- (ii) arrange for the Enforcement Officer to carry out a check on the records which Taxi/Private Hire Car Operators are required to maintain of the drivers which they employ;
- (iii) write to all Taxi and Private Hire Car Operators, reminding them of their licence conditions which states the need to ensure that the drivers employed by them must be duly licensed.

2.3 BREACH OF LICENCE CONDITION: MR DAVID AGNEW, AUCHINLECK

There was submitted a report dated 21 August 1996 (circulated) by the Director of Community Services to allow the Sub-Committee to consider a report on licensed Private Hire Car Operator, Mr David Agnew, 11 Lambfair Gardens, Auchinleck.

It was agreed to continue consideration of this matter to a future Meeting which would take the form of a Hearing, at which the licensee would be invited to appear, or to be represented, and to speak in explanation of the alleged breach of licence conditions.

EXCLUSION OF PRESS AND PUBLIC

3. 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 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 BY MR HUGH NICOL, HURLFORD, FOR GRANT OF A TAXI DRIVER'S LICENCE

There was re-submitted a report dated 17 June 1996 (circulated) by the Director of Community Services, to continue consideration of an application by Mr Hugh Nicol, 48 Blair Avenue, Hurlford, for the grant of a Taxi Driver's licence.

It was reported that, in accordance with the decision of the Sub-Committee at their Meeting on 27 June 1996, the applicant had been invited to appear, or to be represented, in order to speak in support of his application, and that Strathclyde Police had also been given the opportunity to be represented at the Meeting.

The Committee heard the applicant in support of his application and the Committee Members asked questions.

The applicant then left the Meeting.

4.1.1 RE-ADMISSION OF PRESS AND PUBLIC

After discussion, the applicant, press and public were re-admitted.

4.1.2 DECISION

It was agreed to refuse the application for the grant of a Taxi Driver's licence.

4.2 APPLICATION BY MR RICHARD McAUGHTRIE, NEW CUMNOCK, FOR THE GRANT OF A TAXI DRIVER'S LICENCE

4.2.1 EXCLUSION OF PRESS AND PUBLIC

Agreed under previous section and paragraph to exclude the press and public.

4.2.2 CONSIDERATION OF ITEM

There was re-submitted a report dated 14 June 1996 (circulated) by the Director of Community Services, to continue consideration of an application by Mr Richard McAughtrie, 49 Greenhill Avenue, New Cumnock, for the grant of a Taxi Driver's licence.

It was reported that in accordance with the decision of the Sub-Committee's at their Meeting on 27 June 1996, the applicant had been invited to appear, or to be represented, in order to speak in support of his application, and that Strathclyde Police had also been given the opportunity to be represented at the Meeting.

The Committee heard the applicant and his representatives in support of his application and the Committee Members asked questions.

The applicant and his representatives then left the Meeting.

4.2.3 RE-ADMISSION OF PRESS AND PUBLIC

After discussion, the applicant, press and public were re-admitted.

4.2.4 DECISION

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

4.3 APPLICATION BY MR JAMES DYKES, NEWMILNS, FOR THE RENEWAL OF PRIVATE HIRE CAR OPERATORS' AND DRIVER'S LICENCE

4.3.1 EXCLUSION OF PRESS AND PUBLIC

Agreed under previous section and paragraph to exclude the press and public.

4.3.2 CONSIDERATION OF ITEM

There was re-submitted a report dated 17 June 1996 (circulated) by the Director of Community Services to continue consideration of an application by Mr James Dykes, 71 Loudoun Road, Newmilns, for the renewal of his Private Hire Car Operators' and Driver's licences.

It was reported that, in accordance with the decision of the Sub-Committee at their Meeting on 27 June 1996, the applicant had been invited to appear, or to be represented in order to speak in support of his application, and that Strathclyde Police had also been given the opportunity to be represented at the Meeting.

The Committee heard the applicant and his Agent in support of his application and the Committee Members asked questions.

The applicant and his Agent then left the Meeting.

4.3.3 RE-ADMISSION OF PRESS AND PUBLIC

After discussion, the applicant, press and public were re-admitted.

4.3.4 DECISION

It was agreed:-

- (i) to grant the applications for the renewal of the Private Car Operators' licences subject to the standard conditions; and
- (ii) to defer consideration of the application for renewal of the Private Hire Car Driver's licence to a future Meeting in order to obtain further information.

4.4 EXCLUSION OF PRESS AND PUBLIC

It was agreed under previous section and paragraph to exclude the press and public.

4.5 APPLICATION NO. R138 FOR GRANT OF A STREET TRADER'S LICENCE

There was submitted a report dated 21 August 1996 (circulated) by the Director of Community Services, providing details of the above application.

Having considered a report dated 12 June 1996 (circulated) by Strathclyde Police, and a letter (circulated) from the applicant in support of his application, it was agreed to grant the licence subject to the standard conditions.

4.6 APPLICATION NO. R297 FOR GRANT OF A TAXI DRIVER'S LICENCE

There was submitted a report dated 21 August 1996 (circulated) by the Director of Community Services, providing details of the above application.

Having considered a report dated 12 August 1996 (circulated) by Strathclyde Police, and a letter from the applicant (circulated) in support of his application, it was agreed to refuse the grant of the licence.

The meeting terminated at 1500 hours.