

EAST AYRSHIRE COUNCIL

LICENSING SUB-COMMITTEE OF THE COMMUNITY SERVICES COMMITTEE

MINUTES OF MEETING HELD ON 19 AUGUST 1998 AT 1400 HOURS IN THE MEETING ROOM, COUNCIL HEADQUARTERS, LONDON ROAD, KILMARNOCK

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

ATTENDING: John F Crawford, Head of Protective Services; Alison J Smith, Principal Officer, Registration and Licensing; Douglas Blyth, Senior Solicitor; James Lally, Senior Administrative Officer; and Ian Gemmell, Administrative Officer.

APOLOGIES: Councillors Gordon McCredie, George Turnbull and Tommy Farrell.

CHAIR: Councillor John Smith, Chair.

MINUTES OF MEETING WITH TAXI TRADES ORGANISATIONS AND FORUMS ON DISABILITY

1. There was submitted and noted a report dated 10 August 1998 (circulated) by the Director of Community Services providing the Minutes of the last meeting held on 30 June 1998, with representatives of the Taxi Trades Organisations and the Forums on Disability.

Arising from discussion of the above Minutes, Councillor George Smith enquired about the possibility of the make, model and colour of taxis being included on taxi licence plates to prevent the transfer of plates to unlicensed vehicles and it was agreed that it be remitted to the Director of Community Services to investigate this suggestion.

OPERATION SPOTLIGHT - WINDOW CLEANERS

2. There was submitted and noted a report dated 7 August 1998 (circulated) by the Director of Community Services on the recent Operation Spotlight by Strathclyde Police, in conjunction with the Council's Licensing staff on unlicensed window cleaners.

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 to the Act.

REPRESENTATIONS/OBJECTIONS RECEIVED OUTWITH THE STATUTORY PERIOD

4. The Head of Protective Services reported that, in respect of Items 4.2, 4.6, 4.8, 4.9, 4.13, 4.15, 4.16 and 4.18 hereunder, representations/objections from Strathclyde Police had been received by the Licensing Authority outwith the period specified in Paragraph 3(i) of Schedule 1 to the Civic Government (Scotland) Act 1982, and requested that the Sub-Committee give consideration as to whether the

representations/objections should be considered in relation to the relevant applications. In this connection he asked the Sub-Committee to note that the delays on the part of Strathclyde Police in processing reports had occurred because of staff sickness and the holiday period. It was further reported that a letter dated 13 August 1998 from the applicant's agent under Item 4.2 on the Agenda had been received which requested consideration of whether there was sufficient reason why the objection was not made within the statutory time limit.

Councillor Darnbrough seconded by Councillor Campbell moved that the representations/objections from Strathclyde Police, lodged outwith the statutory time limit, in relation to the applications detailed above should be considered in determining the applications concerned and that it be remitted to the Director of Community Services to write to Strathclyde Police expressing the Sub-Committee's concern at the number of representations/objections lodged outwith the statutory time limit and requesting that appropriate measures be put in place to prevent a recurrence of this problem.

Councillor Taylor seconded by Councillor George Smith moved as an amendment that the representations/objections from Strathclyde Police, lodged outwith the statutory time limit, in relation to the applications detailed above should not be considered in determining the applications concerned.

On a division by a show of hands, the motion was carried by 5 votes to 2.

CONSIDERATION OF APPLICATIONS

5.1 APPLICATION FOR GRANT OF A TAXI DRIVER'S LICENCE: WILLIAM ROBERTSON, 40 KILMAURS ROAD, KILMARNOCK

There was submitted a report dated 28 July 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 18 June 1998 from Strathclyde Police, and a letter from the applicant received on 23 July 1998, (both circulated) in support of his application, it was agreed to grant the licence subject to the standard conditions.

5.2 APPLICATION FOR RENEWAL OF A TAXI DRIVER'S LICENCE: JOHN CAIRNEY, 153 LORENY DRIVE, KILMARNOCK

There was submitted a report dated 28 July 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 objection dated 12 June 1998 from Strathclyde Police, and a letter dated 13 August 1998 from the Applicant's Agent in support of his application (all circulated), the Sub-Committee agreed to continue consideration of this application 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.

5.3 APPLICATION FOR RENEWAL A TAXI DRIVER'S LICENCE: ALISTAIR BURNS, 53 CAMERON DRIVE, AUCHINLECK

There was submitted a report dated 28 July 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 22 July 1998 from Strathclyde Police, and a letter dated 6 August 1998 from the applicant in support of his application (both circulated), it was agreed to grant the licence subject to the standard conditions.

5.4 APPLICATION FOR RENEWAL OF A TAXI DRIVER'S LICENCE: WILLIAM HAINING, 79 BACKROGERTON CRESCENT, AUCHINLECK

There was submitted a report dated 28 July 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 22 July 1998 from Strathclyde Police, and a letter dated 28 July 1998 from the Applicant's employer, in support of his application (both circulated), the Sub-Committee agreed to renew the licence subject to the standard conditions.

5.5 APPLICATION FOR RENEWAL OF A TAXI DRIVER'S LICENCE: CLARKE RATTRAY, C/O 5 WARDLAW AVENUE, MUIRKIRK

There was submitted a report dated 28 July 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 24 July 1998 from Strathclyde Police, and a letter received on 29 July 1998 from the applicant in support of his application (both circulated), it was agreed to renew the licence subject to the standard conditions.

5.6 APPLICATION FOR GRANT OF A STREET TRADER'S LICENCE: GRAEME ANDERSON, 94 MAXHOLM ROAD, KILMARNOCK

There was submitted a report dated 31 July 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 objection dated 27 July 1998 from Strathclyde Police, and a letter received on 19 August 1998 from the applicant's employer in support of his application (both circulated), the Sub-Committee 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.

5.7 APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE: ALAN BROWN, 6 MURRAY PLACE, KILMARNOCK

There was submitted a report dated 31 July 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 objection dated 27 July 1998 from Strathclyde Police, and a letter received on 13 August 1998 from the applicant in support of his application (both circulated), it was agreed to continue consideration for this application 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.

5.8 APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE: THOMAS BROWN, 88 ALTONHILL AVENUE, KILMARNOCK

There was submitted a report dated 31 July 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 objection dated 27 July 1998, from Strathclyde Police, a letter dated 12 August 1998 from the applicant in support of his application, and two character references (all circulated), it was agreed to continue consideration of this application to a future meeting, which would take the form of a Hearing, and to which the applicant and Strathclyde Police would be invited to appear, or to be represented, and to speak to the matters raised.

5.9 APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE: JOHN FERRANS, 45 EAST PARK DRIVE, KILMAURS

There was submitted a report dated 31 July 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 objection dated 30 July 1998 from Strathclyde Police, and a letter dated 17 August 1998 from the Applicant's agent in support of his application (both circulated), it was agreed to continue consideration of this application 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.

5.10 APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE: WILLIAM HALBERT, 3 RAMSEY COURT, SCOTT CRESCENT, TROON

There was submitted a report dated 31 July 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 objection dated 28 July 1998 from Strathclyde Police, and a letter dated 5 August 1998 from the applicant in support of his application (both circulated), 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.

5.11 APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE: JONATHAN IRELAND, 67 FLEMING STREET, KILMARNOCK

There was submitted a report dated 28 July 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 objection dated 24 June 1998 from Strathclyde Police (circulated), 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.

5.12 APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE: BRIAN HARVEY, 25 CARMEL AVENUE, KILMARNOCK

There was submitted a report dated 31 July 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 objection dated 27 July 1998 from Strathclyde Police, and two letters dated 13 August 1998 from the applicant in support of his application, (all circulated), 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.

5.13 APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE: ROBERT MILLAR, 37H SUTHERLAND DRIVE, KILMARNOCK

There was submitted a report dated 31 July 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 objection dated 27 July 1998 from Strathclyde Police, and a letter dated 10 August 1998 from the applicant in support of his application, enclosing a character reference (all circulated), it was agreed to grant the licence subject to the standard conditions.

5.14 APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE: JOHN McGREGOR, 19 BURNFOOT PLACE, KILMARNOCK

There was submitted a report dated 28 July 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 objection dated 25 June 1998 from Strathclyde Police, and a letter received on 12 August 1998 from the applicant in support of his application (both circulated), it was agreed to grant the licence subject to the standard conditions.

5.15 APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE: WAYNE McKENNA, 65 AUCHENCAR DRIVE, KILMARNOCK

There was submitted a report dated 31 July 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 objection dated 27 July 1998 from Strathclyde Police, and a letter received on 12 August 1998 from the applicant in support of his application (both circulated), it was agreed to continue consideration of this application 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.

5.16 APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE: JAMES BEATTIE, 27 CRAUFURDLAND ROAD, KILMARNOCK

There was submitted a report dated 31 July 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 30 July 1998 from Strathclyde Police (circulated), it was agreed to grant the licence subject to the standard conditions.

5.17 APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE: JAMES McCLUSKEY, 49 AUCHENCAR DRIVE, KILMARNOCK

There was submitted a report dated 31 July 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 27 July 1998 from Strathclyde Police (circulated), it was agreed to grant the licence subject to the standard conditions.

5.18 APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE: THOMAS McFARLANE, 38 LAMMERMUIR ROAD, KILMARNOCK

There was submitted a report dated 31 July 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 28 July 1998 from Strathclyde Police (circulated), it was agreed to grant the licence subject to the standard conditions.

5.19 APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE: THOMAS NEIL, 41 WILSON AVENUE, KILMARNOCK

There was submitted a report dated 31 July 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 28 July 1998 from Strathclyde Police, and a letter received on 14 August 1998 from the Applicant in support of his application (both circulated), it was agreed to grant the licence subject to the standard conditions.

5.20 APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE: THOMAS NEILSON, 60 NORTH CRAIG ROAD, KILMARNOCK

There was submitted a report dated 31 July 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 27 July 1998 from Strathclyde Police (circulated), it was agreed to grant the licence subject to the standard conditions.

5.21 APPLICATION FOR GRANT OF A WINDOW CLEANER'S LICENCE: DAVID RANKIN, 47 PORTLAND ROAD, GALSTON

There was submitted a report dated 31 July 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 27 July 1998 from Strathclyde Police, and a letter dated 7 August 1998 from the Applicant in support of his application (both circulated), it was agreed to grant the licence subject to the standard conditions.

The meeting terminated at 1500 hours.