

PART A

Hearings

1. MOL/035 Ernest Kaspar Ribbeck

Ernest Kaspar Ribbeck has applied for a Market Operator's Licence MOL/035.

The licenceholder, having been duly cited to attend, was not present. Representatives from Strathclyde Police and North Ayrshire Council's Building Standards Section were in attendance.

The Senior Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the licenceholder. The representatives from Building Standards addressed the Committee in relation to the Building Standards issues in terms of the premises at Vulcan Garage, Auchrannie Road, Brodick.

The representatives from Strathclyde Police and Building Standards then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

The Committee unanimously agreed (a) to grant the application in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982; and (b) that the Senior Solicitor (Licensing), when issuing the licence, make the position clear to the licenceholder that the Committee's decision relates solely to Licensing legislation.

2. TDL/00478 Deborah Bell

The Committee, at its meeting on 16 April 2012, agreed on the basis of the information presented, to proceed to a Hearing in terms of Paragraph 4 (2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

The licenceholder, having been duly cited to attend, was present. Representatives from Strathclyde Police were also in attendance.

The Senior Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the licenceholder. The representatives from Strathclyde Police then addressed the Committee on the terms of a letter dated 21 March 2012 setting out the observations of the Chief Constable of Strathclyde Police in relation to the application. Thereafter, the licenceholder addressed the Committee on the issues raised and responded to questions.

Both parties then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

The Committee unanimously agreed (a) to grant the application in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982; and (b) that the Senior Solicitor (Licensing) write to the licenceholder issuing a warning in terms of the insurance lapse.

3. TDL/00717 Robert McLeish

The Committee, at its meeting on 16 April 2012, agreed on the basis of the information presented, to proceed to a Hearing in terms of Paragraph 4 (2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

The licenceholder, having been duly cited to attend, was not present. Representatives from Strathclyde Police were in attendance.

The Senior Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the licenceholder. The representatives from Strathclyde Police then addressed the Committee on the terms of a letter dated 2 March 2012 setting out the observations of the Chief Constable of Strathclyde Police in relation to the application.

The representatives from Strathclyde Police then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

The Committee unanimously agreed to refuse the application in terms of Paragraph 5(1)(c) of Schedule 1 of the Civic Government (Scotland) Act 1982, on the grounds set out in (1) Paragraph 5(3)(a)(ii) of that Schedule, that the applicant is not a fit and proper person to be the holder of a Taxi Driver's Licence; and (2) Paragraph 5(3)(d), that there was a good reason to refuse the application, in respect that the applicant had been disqualified from driving and that he was therefore ineligible to hold a Taxi Driver's Licence due to Section 13(6).

4. TDL/01773 Colin Bennett

The licenceholder, having been duly cited to attend, was not present. Representatives from Strathclyde Police were in attendance.

The Senior Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the licenceholder. The representatives from Strathclyde Police then addressed the Committee on the terms of a letter dated 21 March 2012 setting out the observations of the Chief Constable of Strathclyde Police in relation to the application.

The representatives from Strathclyde Police then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

The Committee unanimously agreed to refuse the application in terms of Paragraph 5(1)(c) of Schedule 1 of the Civic Government (Scotland) Act 1982, on the grounds set out in Paragraph 5(3)(a)(ii) of the Schedule, that the applicant is not a fit and proper person to be the holder of a Taxi Driver's Licence.

5. TDL/01775 Aso Jamal

The Committee, at its meeting on 16 April 2012, agreed on the basis of the information presented, to proceed to a Hearing in terms of Paragraph 4 (2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

The licenceholder, having been duly cited to attend, was present. Representatives from Strathclyde Police were also in attendance.

The Senior Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the licenceholder. The representatives from Strathclyde Police then addressed the Committee on the terms of a letter dated 8 May 2012 setting out the observations of the Chief Constable of Strathclyde Police in relation to the application. Thereafter, the licenceholder addressed the Committee on the issues raised and responded to questions.

Both parties then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

The Committee unanimously agreed to refuse the application in terms of Paragraph 5(1)(c) of Schedule 1 of the Civic Government (Scotland) Act 1982, on the grounds set out in Paragraph 5(3)(a)(ii) of the Schedule, that the applicant is not a fit and proper person to be the holder of a Taxi Driver's Licence.

6. TL/19 and TL/194 (Renewals) TL/048 (Grant) Fiona Wagstaff

Fiona Wagstaff has applied for the grant of a Taxi Licence TL/048 and the renewal of 2 Taxi Licences TL/019 and TL/194.

The licenceholder, having been duly cited to attend, was present. Representatives from Strathclyde Police were also in attendance.

The Senior Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the licenceholder. The representatives from Strathclyde Police then addressed the Committee on the terms of letters dated 7 March and 21 March 2012 setting out the observations of the Chief Constable of Strathclyde Police in

relation to the applications. Thereafter, the licenceholder addressed the Committee on the issues raised and responded to questions.

Both parties then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

The Committee unanimously agreed to continue consideration of this item to a meeting of the Committee to be held prior to the expiry of the 6-month period (i.e. no later than 22 August 2012), on receiving the applicant's undertaking that vehicles would be placed on all three licences before then.

PART B

1. MDL/038 (New) Robert Kerr

The Committee unanimously agreed to grant the application in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982.

2. PEL/067 (Variation) North Ayrshire Council Education and Skills

The Committee unanimously agreed to vary the licence as requested, in terms of Paragraph 10 of Schedule 1 of the Civic Government (Scotland) Act 1982.

3. TDL/00939 (Renewal) Eric Forrest

The Committee unanimously agreed to grant the application in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982.

4. TDL/01244 (New) Elizabeth Conway

The Committee unanimously agreed on the basis of the information presented to proceed to a hearing in terms of Paragraph 4 (2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

5. TDL/01513 (New) Steven Robb

The Committee unanimously agreed on the basis of the information presented to proceed to a hearing in terms of Paragraph 4 (2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

6. TDL/01519 (Renewal) Darren Samuel Coughtrie

The Committee unanimously agreed on the basis of the information presented to proceed to a hearing in terms of Paragraph 4 (2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

7. TDL/01779 (New) John Shepherd

The Committee unanimously agreed to grant the licence for a period of one year under Paragraph 8(2), considering that this limitation was appropriate in the circumstances.

8. TDL/01780 (New) John Swindle

The Committee unanimously agreed on the basis of the information presented to proceed to a hearing in terms of Paragraph 4 (2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

9. TDL/01789 (New) Alan Thom

The Committee unanimously agreed on the basis of the information presented to proceed to a hearing in terms of Paragraph 4 (2) of Schedule 1 of the Civic Government (Scotland) Act 1982 and that the hearing take place during October/November 2012.

10. TL/119 (Renewal) Robert and Susan Chalmers

The Committee unanimously agreed (a) to grant the application in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982; and (b) that the Senior Solicitor (Licensing) write to the licenceholder in relation to compliance with the licence condition relating to the disclosure of previous convictions.