

Licensing Committee
10 December 2018

IRVINE, 10 December 2018 - At a Special Meeting of the Licensing Committee of North Ayrshire Council at 11.10 a.m.

Present

Ronnie McNicol, Robert Barr, John Easdale, Jean McClung, Davina McTiernan and Donald L. Reid.

In Attendance

W. O'Brien, Solicitor, (Licensing), and C. Pollock, Licensing Administration Officer (Legal Services); and A. Little, Committee Services Officer (Chief Executive's Service).

Chair

Councillor McNicol in the Chair.

Apologies

Todd Ferguson and Scott Gallacher.

1. Declarations of Interest

There were no declarations of interest in terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors.

2. Exclusion of the Public

The Committee resolved, under Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public, for Agenda Item 3 (Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters) on the grounds that they involved the likely disclosure of Exempt Information as defined in Section 50J of, and Schedule 7A to, the Local Government (Scotland) Act 1973.

The 'Exempt Information' concerned is information of the type described in one or more of Paragraphs 3, 6, 14 and 15 of Part 1 of Schedule 7A to the Act:

3. "Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority."
6. "Information relating to the financial or business affairs of any particular person (other than the authority)."
14. "Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime."
15. "The identity of a Protected Informant" - where "Protected Informant" is defined in Part III as a person who informs the Local Authority about a past, present or future crime, breach of statutory duty, breach of planning control, or nuisance."

3. Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters

3.1 Taxi Licence TL/211 – John Russell, Stephen Adams, Jane Adams and Connie Dunn

John Russell and Connie Dunn were present. The Committee was satisfied that the persons present represented all the applicants.

The Solicitor (Licensing) set out the background to the Hearing.

The applicants addressed the Committee on issues raised and responded to questions.

Decision

The Committee unanimously agreed (a) to accept the proposed vehicle as suitable under Civic Government (Scotland) Act 1982, Section 10(2), and to treat it as an exception to the Vehicle Specification Policy; (b) to treat the application as an exception to its Taxi Numbers Limitation Policy under Civic Government (Scotland) Act 1982, Section 10(3); (c) to continue consideration of the application for a Temporary Licence under Civic Government (Scotland) Act 1982, Schedule 1, Paragraph 7.

3.2 Skin Piercing and Tattoo Licence: SPTL/033 (Renewal) Robert Alexander

The licence holder, having been duly cited to attend, was present and accompanied by Gordon Lannigan, Tattoo Artist.

The Solicitor (Licensing) set out the background to the Hearing as previously intimated to the licence holder.

The licence holder and Mr Lannigan addressed the Committee on issues raised and responded to questions.

Decision

The Committee unanimously agreed to (a) recall the suspension under Paragraph 12 (6) of Schedule 1 of the Civic Government (Scotland) Act 1982; (b) consent to a material change of circumstances under Paragraph 9(2) of Schedule 1 of the Civic Government (Scotland) Act 1982, in that Mr Lannigan will now be a joint holder of the licence; (c) grant the renewal of the licence under Paragraph 5 (1) (a) of Schedule 1 of the Civic Government (Scotland) Act 1982; and (d) discharge the hearing under Paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982 previously intimated.

The meeting ended at 11.25 a.m.