

Licensing Committee
4 October 2011

IRVINE, 4 October 2011 - At a Meeting of the Licensing Committee of North Ayrshire Council at 2.00 p.m.

Present

William Gibson, Elisabeth Marshall, Robert Barr, Ian Clarkson, Ruby Kirkwood, John Moffat, Alan Munro and Joan Sturgeon.

In Attendance

W. O'Brien, Senior Solicitor (Licensing) and A. Toal, Administrative Assistant (Corporate Services); and M. Anderson, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Gibson in the Chair.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 16.

2. Minutes

The Minutes of the Meeting held on 23 August 2011 were signed in accordance with paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

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

Submitted report by the Solicitor to the Council on (a) applications for the grant or renewal of licences and permits; and (b) issues arising in respect of existing licences and permits.

The Committee agreed to dispose of these matters as indicated in the attached Appendix LC1.

4. Urgent Item

The Chair agreed that the following item of business be considered as a matter of urgency to allow the matter to be actioned without delay.

4.1 Medical Certificates: Taxi Drivers Aged 65 and Over

The Chair referred to the current requirement for taxi drivers aged 65 and over to submit a medical certificate annually to the Council.

Discussion took place on the possibility of raising the age before which a medical certificate is required, to 70.

The Committee agreed unanimously to amend the current policy on medical certificates, to require drivers of Taxi and Private Hire Cars to submit a medical certificate with each application for Grant or Renewal of a Driver's Licence made after the Applicant or Licence-holder attains the age of 70 years, that certificate to confirm that he/she is, or remains, fit to drive a hire car of that type, and to be obtained by him/her at his/her own cost.

The meeting ended at 2.25 p.m.

PART A

Applications for Licences/Renewal of Licences

1. SHDL/153 (New) Harvey & Thompson Limited

The Committee unanimously agreed to (a) grant the application subject to the Council's standard conditions in terms of Paragraph 5 (1) (a) of Schedule 1 of the Civic Government (Scotland) Act 1982; and (b) remind the applicants in writing of their duty to comply with the licence condition relating to the disclosure of previous convictions.

2. TDL/01412 (New) Stewart Alexander Lennon

The Committee unanimously agreed to grant the application subject to the Council's standard conditions in terms of Paragraph 5 (1) (a) of Schedule 1 of the Civic Government (Scotland) Act 1982; (b) in terms of Paragraph 8 (2) (b) of the said Schedule, to restrict the period of the licence to 1 year; and (c) remind the applicant in writing of his duty to comply with the licence condition relating to the disclosure of previous convictions.

3. TDL/01730 (New) Ashley Dickie

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

4. TDL/01736 (New) John McMaster

The Committee unanimously agreed to grant the application subject to the Council's standard conditions in terms of Paragraph 5 (1) (a) of Schedule 1 of the Civic Government (Scotland) Act 1982; and (b) in terms of Paragraph 8 (2) (b) of the said Schedule, to restrict the period of the licence to 1 year;

5. TDL/01738(New) Paul McLellan

The Committee unanimously agreed to grant the application subject to the Council's standard conditions in terms of Paragraph 5 (1) (a) of Schedule 1 of the Civic Government (Scotland) Act 1982; (b) in terms of Paragraph 8 (2) (b) of the said Schedule, to restrict the period of the licence to 1 year; and (c) remind the applicant in writing of his duty to comply with the licence condition relating to the disclosure of previous convictions.

6. TDL/01741 (New) Stuart Weir

The Committee unanimously agreed to grant the application subject to the Council's standard conditions in terms of Paragraph 5 (1) (a) of Schedule 1 of the Civic Government (Scotland) Act 1982; and (b) in terms of Paragraph 8 (2) (b) of the said Schedule, to restrict the period of the licence to 1 year.

7. TL/070 (Renewal) Fiona Wagstaff

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.

PART B

Issues in respect of Existing Licences

1. Fayre Events Limited

The Committee agreed (a) to note the update information presented in relation to the licensed market at Largs Viking Festival in August 2011; and (b) that no further action be taken.

2. Fiona Wagstaff

The Committee agreed, on the basis of the information presented, to proceed to a suspension hearing in terms of Paragraph 11 (7) of Schedule 1 of the Civic Government (Scotland) Act 1982.

3. Samuel Dean

The Committee agreed, on the basis of the information presented, that no further action be taken.

4. James A. Williamson

The Committee agreed, on the basis of the information presented, that no further action be taken.