

Licensing Sub Committee of Corporate Services Committee  
31 March 2003

**IRVINE, 31 March 2003** - At a Meeting of the Licensing Sub Committee of the Corporate Services Committee of North Ayrshire Council at 2.00 p.m.

**Present**

David Munn, Robert Reilly, Jack Carson, Ian Clarkson, Elizabeth McLardy, John Moffat, Robert Rae and John Reid.

**In Attendance**

A. Fraser, Manager Legal Services, F. Murray, Solicitor (Licensing) and M. McCann, Administrative Assistant (Licensing) (Legal and Protective); and M. McKeown, Corporate and Democratic Support Officer (Chief Executive's).

**Chair**

Councillor Munn in the Chair.

**Apologies for Absence**

Samuel Gooding.

**1. Gaming Act 1968**

Submitted report by the Assistant Chief Executive (Legal and Protective) on applications received under Section 34 of the Gaming Act 1968 for permits for gaming machines.

The Sub Committee agreed to grant permits in respect of the following applicants:-

Applicant

Machines

Cullis's Amusements  
per Hennessy Bowie & Co.  
16/22 Gallowgate Street  
Largs

63 machines (Renewal)

Peter Edge  
74/76 High Street  
Irvine

1 machine (Renewal)

**2. Lotteries and Amusements Act 1976**

Submitted report by the Assistant Chief Executive (Legal and Protective) on an application for a permit for the commercial provision of amusements with prizes.

The Sub Committee agreed to grant a permit in respect of the following applicant:-

Applicant

Cullis's Amusements  
per Hennessy Bowie & Co.  
16/22 Gallowgate Street  
Largs.

**3. Exclusion of Public**

The Sub Committee resolved in terms of Section 50(4) of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public for the following items of business on the grounds indicated in terms of Paragraphs 6, 13 and 14 of Part I of Schedule 7A of the Act.

**4. Civic Government (Scotland) Act 1982: Applications for Licences**

Submitted report by the Assistant Chief Executive (Legal and Protective) on (a) applications for the grant or renewal of licences; (b) issues in respect of an existing licenceholder which may require a Hearing; and (c) Hearings which require to be determined by the Sub Committee.

The Sub Committee agreed to dispose of these matters as indicated in the attached Appendix LS1.

The meeting ended at 2.45 p.m.

### **Taxi Driver Licences**

**1) TDL/933 (N) : Michael Neil**

The Sub Committee unanimously agreed to grant the application.

**2) TDL/934 (N):**

The Sub Committee agreed on the basis of the information before it to hold a Hearing in terms of sub-paragraph 4 (2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

**3) TDL/938 (N):**

The Sub Committee agreed on the basis of the information before it to hold a Hearing in terms of sub-paragraph 4 (2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

**4) TDL/939 (N):**

The Sub Committee agreed on the basis of the information before it to hold a Hearing in terms of sub-paragraph 4 (2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

**5) TDL/944 (N): Roderick Clotworthy**

The Sub Committee unanimously agreed to grant the application.

**6) TDL/940 (N): Robert McComb**

The Sub Committee unanimously agreed to grant the application.

**7) TDL/659 (R):**

The Sub Committee agreed on the basis of the information before it to hold a Hearing in terms of sub-paragraph 4 (2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

### **Market Operator Licence**

**1) MOL/011 (N): Michelle Porter**

The Sub Committee unanimously agreed to grant the application.

## **Second Hand Dealers Licence**

### **1) SHDL/090 (N): Mark Cadenhead**

The Sub Committee unanimously agreed to grant the application subject to no objections being received within 21 days.

### **2) SHDL/088 (N): Robin Ritchie**

The Sub Committee unanimously agreed to grant the application.

## **Taxi Operators Licence**

### **1) TL/407 (N): James McGilvray**

The Sub Committee unanimously agreed to grant the application.

## **PART B: Individual Licences where the issues raised may require a Hearing**

### **Taxi Driver Licence**

#### **1) TDL/490:**

The Sub Committee agreed to take no action to suspend the licence in terms of sub-paragraph 11 (1) of Schedule 1 of the Civic Government (Scotland) Act 1982.

## **PART C: Individual Licences where Hearings have been convened**

### **1) PHCL/038**

The Solicitor (Licensing) advised the Sub Committee that the licence-holder, due to personal circumstances, was unable to attend the Hearing.

### **Decision**

The Sub Committee unanimously agreed to continue the Hearing to a future meeting.

### **2) TDL/767**

The licence-holder having been duly cited was present at the Hearing.

The Solicitor (Licensing) set out the background to the Hearing as previously intimated to the applicant. The licence-holder then addressed the Hearing before withdrawing together with the Solicitor (Licensing) to allow the Sub Committee to deliberate. Both parties returned to hear the outcome of the Sub Committee's deliberations.

## **Decision**

The Sub Committee unanimously agreed to take no action to suspend the licence in terms of sub-paragraph 11 (1) of Schedule 1 of the Civic Government (Scotland) Act 1982.

### **3) TDL/926**

The applicant having been duly cited was present at the Hearing.

The Solicitor (Licensing) set out the background to the Hearing as previously intimated to the applicant, and advised the Sub Committee that the applicant had spent convictions which could be considered relevant. The Sub Committee unanimously agreed not to hear the spent convictions. The applicant was then given the opportunity to address the Hearing.

## **Decision**

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

### **4) STL/E/160**

The applicant having been duly cited was present at the Hearing.

The Solicitor (Licensing) set out the background to the Hearing as previously intimated to the applicant, and advised the Sub Committee that the applicant had spent convictions which could be considered relevant. The Sub Committee unanimously agreed not to hear the spent convictions. The applicant was then given the opportunity to address the Hearing.

## **Decision**

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

### **5) LHCL/004**

The applicant having been duly cited was not present at the Hearing.

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

## **Decision**

The Sub Committee unanimously agreed to refuse the application in terms of sub-paragraph 5 (1) (c) of Schedule 1 of the Civic Government (Scotland) Act 1982 on the grounds that the applicant is not a fit and proper person to be the holder of a late hours catering licence.

