

Licensing Committee  
23 September 2015

**IRVINE, 23 September 2015** - At a Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m.

**Present**

Ian Clarkson, Robert Barr, Grace McLean, Catherine McMillan, Ronnie McNicol and Donald Reid.

**In Attendance**

C. Andrew, Senior Manager Legal Services, A. Toal, Administrative Assistant and M. Anderson, Committee Services Team Leader (Chief Executive's Service).

**Also In Attendance**

Inspector J. McMillan, Sergeant G. Griffiths and L. McGhee (Police Scotland).

**Chair**

Councillor Clarkson in the Chair.

**Apologies for Absence**

John Bruce, John Easdale and Tom Marshall.

**1. Declarations of Interest**

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

**2. Minutes**

The accuracy of the Minutes of the meeting of the Committee held on 2 September 2015 was confirmed and the Minutes 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 Chief Executive on Hearings to be determined and applications for the grant or renewal of licences and permits, all in terms of the Civic Government (Scotland) Act 1982.

**Part A: Hearings**

**3.1 Caravan Licence: Verdant Leisure 2 Limited**

The applicant, having been duly cited to attend, was not present or represented.

The Senior Manager Legal Services set out the background to the Hearing as previously intimated in writing to the applicant.

## **Decision**

The Committee unanimously agreed to grant the application to vary Condition 2 of the licence to allow occupancy of the site at Viewfield Manor Leisure, Torranyard, Lochlibo Road, Kilwinning for 11 months of the year, in terms of the Section 8(1) of the Caravan Sites and Control of Development Act 1960 (as amended).

### **3.2 Metal Dealer's Licence MDL/038 (Itinerant): Robert Kerr**

The Committee, at its meeting on 2 September 2015, 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 applicant, having been duly cited to attend, was present. Representatives of Police Scotland were also in attendance.

The representatives of Police Scotland addressed the Committee on the terms of a letter setting out an observation in relation to the application. Thereafter, the applicant addressed the Committee on the issues raised and responded to questions.

## **Decision**

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

### **3.3 Taxi Driver's Licence TDL/01837 (Renewal): Mohamed Asli**

The Committee, at its meeting on 2 September 2015, 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 applicant, having been duly cited to attend, was not present or represented. A written submission was provided by the applicant, requesting that the matter be continued to the next meeting. Representatives of Police Scotland were in attendance.

The Senior Manager (Legal Services) set out the background to the Hearing as previously intimated in writing to the applicant. The representatives of Police Scotland then addressed the Committee on the terms of a letter setting out an observation in relation to the application.

## **Decision**

The Committee unanimously agreed to continue consideration of this matter to the next meeting of the Committee.

### **3.4 Taxi Driver's Licence TDL/01995 (New): John Young**

The Committee, at its meeting on 2 September 2015, 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 applicant, having been duly cited to attend, was present. Representatives of Police Scotland were also in attendance.

The representatives of Police Scotland addressed the Committee on the terms of a letter setting out an observation in relation to the application. Thereafter, the applicant addressed the Committee on the issues raised and responded to questions.

#### **Decision**

The Committee unanimously agreed to grant the application for a period of 1 year, subject to the standard conditions, in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982.

#### **Part B: Application for Licence**

### **3.5 Taxi Driver's Licence TDL/00018 (New): Alexandria Mary Hughes**

The Committee unanimously agreed, on the basis of the information presented, to grant the application for a period of 1 year, subject to the standard conditions, in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982.

#### **Part C: Issues in Respect of an Existing Licence**

### **3.6 Taxi Driver's Licence TDL/01995: Donald Patrick Newell**

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

## **4. Exclusion of the Public**

The Committee resolved, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public for the agenda item 7 (Landlord Registration under the Antisocial Behaviour etc. (Scotland) Act 2004, Part 8) on the grounds that otherwise "Exempt Information" of the type described in Paragraphs 14 and 15 of Part 1 of Schedule 7A to the Act ("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") might be disclosed.

## **5. Landlord Registration under the Antisocial Behaviour Etc. (Scotland) Act 2004, Part 8**

Submitted report by the Chief Executive which provided information on matters raised in respect of two jointly registered Registered Landlords.

The Senior Manager Legal Services set out the background to the matter and advised of complaints received in respect of tenants of one of the registered properties.

### **Decision**

The Committee unanimously agreed to continue consideration of this matter to the next meeting of the Committee to allow a hearing to take place.

The meeting ended at 10.45 a.m.