

Licensing Committee  
29 April 2008

**IRVINE, 29 April 2008** - At a Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m.

**Present**

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

**In Attendance**

N. Alexander, Chief Legal Officer (Licensing and District Court), and A. Toal, Administrative Assistant (Legal and Protective); and M. McKeown, Corporate Support Officer (Chief Executive's).

**Chair**

Councillor Gibson in the Chair.

**Apologies for Absence**

Alan Munro, Ryan Oldfather and Robert Rae.

**1. Civic Government (Scotland) Act 1982: Licensing Matters**

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

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

The meeting ended at 10.50 a.m.

## **PART A**

### **Street Trader Licence**

#### **1. STL/O/237 (Variation) Ian and Stacey Anderson**

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.

### **Taxi Driver Licences**

#### **1. TDL/00197 (Renewal) David McClymont**

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

#### **2. TDL/01419 (New) Thomas Walker**

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

#### **3. TDL/01420 (New) Deirdre Boyle**

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

### **Private Hire Car Operator's Licence**

#### **1. PHCL/269 (New) Anne Power t/a Power Transport Ltd**

The Committee, on the basis of the information presented, unanimously agreed (a) to proceed to a hearing in terms of Paragraph 4 (2) of Schedule 1 of the Civic Government (Scotland) Act 1982 in respect of the application for a new licence; and (b) that the Chief Legal Officer (Licensing and District Court) provisionally fix a suspension hearing in terms of Paragraph 11 (7) of the said Schedule 1, in respect of other licences held by the applicant, in the event that the issues raised at the hearing convened under Paragraph 4(2) warrant it.

## **PART B**

### **Issues in respect of Existing Licences**

#### **Taxi Driver Licences**

##### **1. TDL/00850 Albert Lamberton**

The Chief Legal Officer advised the Committee of a conviction the licence holder had notified to the Licensing Authority as required by the conditions of the licence.

The Committee, on the basis of the information presented, unanimously agreed (a) to take no action at this time with regard to suspension in terms of Paragraph 11 (1) of Schedule 1 of the Civic Government (Scotland) Act 1982; and (b) that the licence holder be advised that the issues raised may be reconsidered at a future date, should any further incidents be reported during the duration of the licence.

## **PART C**

### **Hearings**

#### **1. LHCL/086 BP Oil UK Limited (Annick Filling Station)**

The Committee at its meeting held on 8 April 2008 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.

The applicants having been duly cited to attend were not in attendance at the Hearing.

The Chief Legal Officer (Licensing and District Court) set out the background to the Hearing as previously intimated in writing to the applicants. The applicants have applied for a Late Hours Catering Licence for the Annick Filling Station, Dreghorn, Irvine, covering the hours 11.00 p.m. to 05.00 a.m., each night, which is outwith the Council's standard policy hours of 11.00 p.m. to 01.00 a.m.

A letter dated 28 April 2008 from the applicants' agents in support of the application was tabled and considered by the Committee.

### **Decision**

The Committee unanimously agreed to (a) grant the application subject to the Council's standard conditions in terms of Paragraph 5 (1) (b) of Schedule 1 of the Civic Government (Scotland) Act 1982; and (b) restrict the hours of operation covered by the licence to 11.00 p.m. to 01.00 a.m. only each night.