

Licensing Committee  
13 January 2021

At a Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m. involving participation by remote electronic means.

**Present**

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

**In Attendance**

W. O'Brien, Solicitor (Licensing), A. Toal, Administrative Assistant (Licensing) and D. McCaw, Committee Services Officer (Chief Executive's Service).

**Chair**

Councillor McNicol in the Chair.

**1. Declarations of Interest**

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

**2. Minutes**

The Minutes of the Ordinary Meeting held on 9 December 2020 were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

**3. Review and Fixing of Taxi Scales (Civic Government (Scotland) Act 1982, Sections 17 to 18A)**

Submitted report by the Head of Democratic Services on the proposed timetable for the Review and Fixing of Taxi Scales in accordance with Section 17 of the Civic Government (Scotland) Act 1982 (as amended by the Criminal Justice and Licensing (Scotland) Act 2010).

The Committee agreed to (a) approve the timetable for the review process as set out in the Appendix to the report; and (b) meet virtually with the Trade to carry out Trade Consultation (Stage (a)) on Wednesday 3 February 2021 at 10.00 a.m.

**4. 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 Items 5 and 6 (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."

## **5. Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters**

Submitted report by the Head of Democratic Services on hearings to be determined and applications for the grant or renewal of licences, consents and permits, on hearings and on other matters, under the Civic Government (Scotland) Act 1982 and other Licensing legislation.

### **Appendix B: Applications for Licences/Renewal of Licences**

#### **5.1 MDL/035 (Renewal): William Ledgerwood**

The Committee 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) issue a warning letter to the applicant.

#### **5.2 MDL/069 (New): Michael Stevenston**

The Committee 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.

#### **5.3 TDL/01539 (Renewal): Gordon McKenzie**

The Committee 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.

#### **5.4 TDL/02180 (Renewal): Sharon Horn**

The Committee 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.

#### **5.5 TDL/02272 (New): Kenneth A Salmon**

The Committee 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.

## **5.6 TL/428 (New): Russell Drummond**

The Committee agreed to delegate to the Solicitor (Licensing) to grant the Taxi Licence application as an exception to the Taxi Numbers Limitation Policy subject to (i) presentation of a suitable car; and (ii) the Council's standard conditions in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982.

## **6. Urgent Items**

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

### **6.1 Application by North Ayrshire Women's Aid for Extension of a Temporary Exemption Order**

The Solicitor (Licensing) set out the background to a request for an extension of a Temporary Exemption Order from the need to have a 'House in Multiple Occupation' (HMO) Licence in terms of Section 142(6) of the Housing (Scotland) Act 2006.

The Committee agreed to grant the extension of a Temporary Exemption Order for the period Monday 1 March 2021 to Monday 31 May 2021, both dates inclusive.

### **6.2 Police House on Arran**

The Committee agreed to delegate powers to the Solicitor (Licensing) to grant an extension to the temporary HMO when required by Police Scotland.

The meeting ended at 11.20 a.m.