

Licensing Committee
20 October 2014

IRVINE, 20 October 2014 - At a Special Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m.

Present

Ronnie McNicol, Tom Marshall, Robert Barr, Ian Clarkson, John Easdale and Robert Steel.

In Attendance

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

Also In Attendance

Inspector Conway and Sergeant McIntosh (Police Scotland).

Chair

Councillor McNicol in the Chair.

Apologies for Absence

John Bruce.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 16 and Section 5 of the Councillors Code of Conduct.

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

Submitted report by the Chief Executive on Hearings to be determined, all in terms of the Civic Government (Scotland) Act 1982.

2.1 Taxi Driver's Licence TDL/00589: Gordon Crews

The licenceholder, having been duly cited to attend, was present. Representatives from Police Scotland were also in attendance.

The Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the licenceholder. The representatives of Police Scotland then addressed the Committee on the terms of a letter setting out the observations of Police Scotland in relation to the licenceholder. Thereafter, the applicant addressed the Committee on the issues raised and responded to questions.

The applicant and representatives of Police Scotland then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

The Committee unanimously agreed to (a) suspend the licence in terms of Paragraph 11(2)(a) and (c) of Schedule 1 of the Civic Government (Scotland) Act 1982; (b) suspend the licence for a period of one hour, given that the Committee was about to consider at the same meeting an application for renewal of that licence; and (c) direct that that suspension should take effect immediately, in terms of Paragraph 11(10).

2.2 Taxi Driver's Licence TDL/00589 (Renewal): Gordon Crews

The licenceholder, having been duly cited to attend, was present. Representatives from Police Scotland were also in attendance.

The Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the licenceholder. The representatives of Police Scotland then addressed the Committee on the terms of a letter setting out the observations of Police Scotland in relation to the licenceholder. Thereafter, the applicant addressed the Committee on the issues raised and responded to questions.

The applicant and representatives of Police Scotland then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

The Committee unanimously agreed to refuse the application in terms of Paragraph 5(1)(c) of Schedule 1 of the Civic Government (Scotland) Act 1982 on the grounds set out in Paragraph 5(3)(a)(ii) of the Schedule, that the applicant is not a fit and proper person to be the holder of a Taxi Driver's Licence.

2.3 Taxi Driver's Licence TDL/01893: James Carroll

The licenceholder, having been duly cited to attend, was not present. Representatives from Police Scotland were in attendance.

The Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the licenceholder. The representatives of Police Scotland then addressed the Committee on the terms of a letter setting out the observations of Police Scotland in relation to the licenceholder.

The representatives of Police Scotland then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

The Committee unanimously agreed to (a) suspend the licence in terms of Paragraph 11(2)(a) and (c) of Schedule 1 of the Civic Government (Scotland) Act 1982; (b) suspend the licence for the unexpired portion of the duration of the licence; and (c) direct that that suspension should take effect immediately, in terms of Paragraph 11(10).

2.4 Public Charitable Collection PCC: Largs Round Table

The Committee considered a late application for a Public Charitable Collection Permission under Section 119 of the Civic Government (Scotland) Act 1982.

The Committee noted that the application was outside the Council's policy that collections should not happen after 6.00 p.m. Therefore the Committee considered whether or not the particular case could be treated as an exception to the Policy.

The Committee agreed that on this occasion the Solicitor (Licensing) should be granted a special delegation to grant the application, provided that the Police made no adverse representations, subject to the attachment of the Council's usual conditions under Section 119(5).

The meeting ended at 10.50 a.m.