

Protective Services Committee
1 February 1996

Irvine, 1 February 1996 - At a Meeting of the Protective Services Committee of North Ayrshire Council at 2.00 p.m.

Present

Jack Carson, Thomas Barr, Patrick Browne, James Clements, David Gallagher, Thomas Morris and George Steven.

In Attendance

The Chief Executive, the Legal Services Manager, the Head of Accountancy and a CDC Administration Officer (Mr. Hannah).

Chair

Mr. Carson in the Chair.

Apologies for Absence

Ian Clarkson, John Donn and Joseph McKinney.

1. Revenue Budget 1996/97

Submitted report by the Chief Executive enclosing copy report by the Director of Financial Services on the 1996/97 Revenue Budget. Copies of the report had previously been circulated.

The North Ayrshire Council draft budget is above the capping limit advised by the Scottish Office and savings are therefore required.

The Committee agreed that the report be referred to the Chairman and Vice-Chairman in consultation with the Legal Services Manager to determine how savings can be achieved and report to a Special Meeting of the Committee.

2. North Ayrshire Licensing Board

Submitted report by the Legal Services Manager on the nomination of members of North Ayrshire Council to serve on the North Ayrshire Licensing Board. Copies of the report had previously been circulated.

North Ayrshire Council are required to elect members to the Licensing Board which has jurisdiction for the electoral area of North Ayrshire. The Licensing (Scotland) Act 1976 provides that the Board must comprise at least 25% of the membership of the Council which, in the case of North Ayrshire Council, is 8 members. The quorum of the Board must be one half of the total membership. The Chairman of Cunninghame Licensing Board has invited members of North Ayrshire Licensing Board to the final Meeting of that Board to be held on 19 March 1996. In addition the Clerk to the Licensing Board has suggested that a short seminar be arranged to explain the duties of the Licensing Board to the appointed representatives of North Ayrshire

Licensing Board.

The Committee agreed (a) to recommend to the next Meeting of North Ayrshire Council that the following members be appointed as members of North Ayrshire Licensing Board namely:-

Jack Carson, Thomas Barr, Elliot Gray, Jane Gorman, Patrick Browne, David Gallagher, Alan Munro, Robert Reilly, Thomas Morris, Thomas Dickie, Elizabeth McLardy and John Sillars;

(b) that the Clerk to the Licensing Board arrange a Seminar for North Ayrshire Licensing Board members; and (c) that North Ayrshire Licensing Board members attend the final Meeting of Cunninghame Licensing Board to be held on 19 March 1996.

3. Civic Government (Scotland) Act 1982

(a) Licensing System

Submitted report by the Legal Services Manager on licensing under Part II of the Civic Government (Scotland) Act 1982. Copies of the report had previously been circulated. The provisions of the Act require and permit local authorities to licence a number of activities including taxi and private hire car operations etc. The scheme operated by Cunninghame District Council has been in force since 1 November 1984 and contains an extensive scheme of delegation to Officers.

After discussion the Committee agreed (i) that North Ayrshire Council adopt the Cunninghame District Council licensing system and procedures in terms of the Civic Government (Scotland) Act 1982 in the interim; and (ii) that the Legal Services Manager submit a report to a future Meeting of the Committee on the licensing system and any adjustments required thereto.

(b) Taxi Operations

Submitted report by the Legal Services Manager on details of common complaints received by Cunninghame District Council in relation to the operation of taxis within Irvine New Town area. Copies of the report had previously been circulated.

After discussion the Committee agreed (i) that the Legal Services Manager (A) investigate the options available to the licensing authority in respect of the enforcement of licensing conditions and report to a future Meeting of the Committee; and (B) liaise with Strathclyde Regional Council Roads Department regarding the provision of taxi stances in Irvine New Town area and report to a future Meeting of the Committee; and (ii) to otherwise note the complaints received in relation to taxi operations within the Irvine New Town area.

4. Registration of Births, Deaths and Marriages (Scotland) Act 1965

Submitted report by the Legal Services Manager on the functions of North Ayrshire Council as registration authority under the Registration of Births, Deaths and Marriages (Scotland) Act 1965. Copies of the report had previously been circulated.

Within North Ayrshire there are 3 registration offices operated by Strathclyde Regional Council, situated at Irvine, Saltcoats and Kilbirnie. Staff at these offices undertake a variety of duties other than registration, including functions for the Regional Council's Education Department. In addition Cunninghame District Council staff located in offices in Kilwinning, Largs, Millport and Lamlash provide a registration service on an agency basis. All of the duties undertaken by those staff will now be the responsibility of the Legal Services Department and any matters requiring decisions thereon will be referred to the Committee as appropriate.

After discussion the Committee agreed that the Legal Services Manager arrange a site visit for Committee members to the Saltcoats Registration Office.

5. Consumer Advice and Trading Standards

The Committee received Mr. A. Moynihan, Principal Trading Standards Officer, Mr. I. Traquair, Senior Trading Standards Officer and Mr. A. Dunn, Consumer Advice Manager (Irvine) all of Strathclyde Regional Council to the Meeting. Mr. Moynihan gave a presentation on the current work of the Consumer and Trading Standards Department within North Ayrshire. Mr. Moynihan detailed the role of the Consumer and Trading Standards Department in so far as it relates to consumer affairs and licensing.

With regard to consumer affairs Trading Standards Officers are actively involved in consumer empowerment, protection, advice, education and representation. The work of Trading Standards Officers includes such topical aspects as counterfeit goods, car clocking and illegal money lenders.

Consumer and Trading Standards also provide a licensing function to ensure that commercial activities subject to licensing or registration are conducted in accordance with legal requirements particularly with regard to the storage and conveyance of hazardous substances. The licensing function also extends to include the Consumer Credit Act of 1974 wherein Trading Standards licence all companies offering hire purchase or credit terms.

Questions were then put to and answered by Mr. Moynihan following which the Chairman thanked Mr. Moynihan for his most informative presentation.

The Meeting ended at 2.45 p.m.