

Protective Services Committee
16 March 1999

Irvine, 16 March 1999 - At a Meeting of the Special Protective Services Committee of North Ayrshire Council at 2.00 p.m.

Present

Jack Carson, Thomas Barr, Ian Clarkson, John Donn, Elliot Gray and Thomas Morris.

In Attendance

A. Fraser, Principal Legal Officer; L. McHugh, Solicitor (Licensing); M. McCann, Administrative Assistant (Licensing); R. Ferroll, Environmental Health Officer (Legal and Regulatory); and M. McKeown, Administration Officer (Chief Executive) and Chief Superintendent Campbell, Strathclyde Police

Chair

Mr Carson in the Chair.

Apologies for Absence

George Steven and Richard Wilkinson.

1. Exclusion of 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 following item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 6, 13 and 14 of Part I of Schedule 7A of the Act.

2. Civic Government (Scotland) Act 1982 - Licensing Hearings

Submitted report by the Assistant Chief Executive (Legal and Regulatory) on (a) applications for the grant or renewal of licences under the Civic Government (Scotland) Act 1982; (b) licence holders where the issues raised may require a hearing; and (c) individual licences where formal hearings have been convened and which require to be determined by the Committee.

The Committee agreed to dispose of these matters as indicated in Parts I, II and II of the attached Appendix (PROS I).

The meeting ended at 3.40 p.m.

**Protective Services Committee
16/03/99**

Appendix No **PROS 1**

Part I: Applications for licences under the Civic Government (Scotland) Act 1982

	<u>Type of Licence Reference No.</u>	<u>Applicants Details</u>	<u>Decision</u>
1.	TDL/315	Samuel A Anderson	Grant.
2.	TDL/669	As per application	Having received a verbal report from the Solicitor (Licensing) the Committee agreed to proceed to a Hearing on the basis of the information submitted.
3.	TDL/519	Joseph N Abercrombie	Grant.
4.	TDL/360	Barbara Richards	Grant.
5.	TDL/335	Colin T Pauley	Grant.
6.	TDL/326	As per application	Having received a verbal report from the Solicitor (Licensing) the Committee agreed to proceed to a Hearing on the basis of the information submitted.
7.	TDL/330	As per application	Having received a verbal report from the Solicitor (Licensing) the Committee agreed to proceed to a Hearing on the basis of the

			information submitted.
8.	TDL/199	As per application	Having received a verbal report from the Solicitor (Licensing) the Committee agreed to proceed to a Hearing on the basis of the information submitted.
9.	TDL/343	David V Owen	Grant.
10.	TDL/348	Peter F Craddock	Grant.
11.	TDL/318	Alistair J Lindsay	Grant.
12.	TDL/513	As per application	Having received a verbal report from the Solicitor (Licensing) the Committee agreed to proceed to a Hearing on the basis of the information submitted.
13.	TDL/272	Chris Hardacre	Grant.
14.	STL/O/094	As per application	Having received a verbal report from the Solicitor (Licensing) the Committee agreed to proceed to a Hearing on the basis of the information submitted, unless a Certificate in terms of Section 39(4) of the Civic Government (Scotland) Act 1982 is produced..
15.	STL/O/006	As per application	Having received a verbal report from the Solicitor (Licensing) the Committee agreed to proceed to a Hearing on the basis of the information submitted.

16.	STL/O/097	As per application	Application withdrawn.
17.	LHCL/020	Johnny Ho	Grant for 1 year.
18.	SHDL/082	As per application	Having received a verbal report from the Solicitor (Licensing) the Committee agreed to proceed to a Hearing on the basis of the information submitted.
19.	PCC/99/005	John Smith	Grant.
20.	TDL/259	Robert Howie	Grant.
21.	TDL/197	David McClymont	Grant.

Part II: Reports in Respect of Individual Licence Holders

	<u>Type of Licence/ Reference No</u>	<u>Decision</u>
1	SHDL/025 & SHDL/050	The Committee agreed to the use by the licence holders of the proposed Used Vehicle Pre-Sales Inspection Reports in place of the standard forms issued by the Licensing Authority.

each case. The Solicitor (Licensing) advised the Committee as to the background to the Hearings as intimated to the applicant in letters dated 4 February and 3 March 1999. The applicant then addressed the Committee before withdrawing from the meeting together with the Solicitor (Licensing).

7 & 8. STL/O/037 & STL/O/122 30 September 1998 Grant STL/O/122

The applicant having been duly cited, attended the Hearing with a representative and agreed that the Hearings be taken together the circumstances being the same in each case. The applicant also withdrew the application in respect of STL/O/037. The Solicitor (Licensing) advised the Committee as to the background to the Hearings as intimated to the applicant in letters dated 27 January and 3 March 1999. The applicants and representative then addressed the Committee before withdrawing from the meeting together with the Solicitor (Licensing).

In granting licence STL/O/122 the Committee agreed to restrict the period of grant under Paragraph 8(2)(b) of Schedule I of the Civic Government (Scotland) Act 1982 to 1 year.

9. TDL/140 30 September 1998 Refused

Mr Carson declared an interest and withdrew from the meeting for this application.

The applicant having been duly cited, did not attend the Hearing. The Solicitor (Licensing) advised the Committee as to the background to the Hearing as intimated to the applicant in letters dated 8 December 1998 and 25 January, 3 and 9 March 1999. Chief Superintendent Campbell then presented the Chief Constable's representations to the application before withdrawing from the meeting together with the Solicitor (Licensing).

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