

Licensing Committee
5 March 2025

At a Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine

Present (Physical Participation)

Eleanor Collier, Nairn Angus-McDonald, Cameron Inglis, Christina Larsen, Jean McClung, Matthew McLean, Ronnie Stalker and Angela Stephen.

Present (Remote Participation)

Donald L. Reid.

In Attendance

R. Lynch, Senior Manager (Legal Services); C. Pollock, Licensing Manager and A. Kellas, Administration Assistant (Licensing); and C. Stewart, Committee Services Officer (Corporate Services).

Also in Attendance

Sergeant David Markin and Dawn Hastings (Police Scotland),

Chair

Councillor Collier in the Chair.

1. Declarations of Interest

Councillor Reid declared an interest in Case 3 on the Agenda and took no part in the decision thereon.

2. Minutes

The accuracy of the Minutes of the Meeting of the Licensing Committee held on 5 February 2025 were confirmed and the Minutes signed in accordance with Paragraph 7(1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. 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 Case 1 in respect of Agenda Item 3 (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."

3. Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters

3.1 Taxi Driver Licence: TDL/02513 (NEW): James Moore (Case 2 on Agenda)

The applicant, having been duly cited to attend, was present. A representative from Police Scotland was in attendance.

Police Scotland addressed the Committee on the terms of a letter setting out their objection.

The applicant then addressed the Committee on the issues raised and responded to questions.

The Committee agreed that it had sufficient information available to allow it to make a decision in respect of this matter.

The applicant and representative from Police Scotland then withdrew to allow the Committee to deliberate. Thereafter the applicant and representative from Police Scotland re-joined the meeting, with the same Members and Officers present and in attendance, to hear the Committee's decision.

Decision

Councillor Larsen, seconded by Councillor Stalker, moved that the Committee refuse the application on the basis that the applicant was not considered to be a fit and proper person to hold such a licence. There being no amendment, the motion was declared carried.

Accordingly, the Committee agreed to refuse the application on the basis that the applicant was not considered to be a fit and proper person to hold such a licence.

3.2 Taxi Driver Licence: TDL/02197: Gareth Wilkinson (Case 1 on Agenda)

The applicant, having been duly cited to attend, was present. A representative from Police Scotland was in attendance.

Police Scotland addressed the Committee on the terms of a letter setting out their objection.

The applicant then addressed the Committee on the issues raised and responded to questions.

Decision

Councillor Stalker, seconded by Councillor Larsen, moved that the Committee agree to continue the matter to the meeting of the Licensing Committee on 4 June 2025. There being no amendment, the motion was declared carried.

Accordingly, the Committee agreed to continue the matter to the meeting of the Licensing Committee on 4 June 2025.

3.3 Private Hire Car Licence: PHCL/385 (NEW): Jarred Raybould (Case 3 on Agenda)

The applicant, having been duly cited to attend, was present.

The applicant then addressed the Committee on the issues raised and responded to questions.

The Committee agreed that it had sufficient information available to allow it to make a decision in respect of this matter.

Decision

Councillor McLean, seconded by Councillor Stalker, moved that (1) the application be treated as an exception to the Council's Vehicle Specification Policy which required the use of a Wheelchair Accessible Vehicle; and (2) that the grant of the Private Hire Car Licence, be approved subject to the necessary checks and approvals processes undertaken by the Licensing Section. There being no amendment, the motion was declared carried.

Accordingly, the Committee agreed to (a) treat the application as an exception to the Council's Vehicle Specification Policy for the purposes of Section 10(2) of the Civic Government (Scotland) Act 1982; (b) treat the case as an exception to the part of the Policy requiring the use of a Wheelchair Accessible Vehicle; (c) that the grant of the Private Hire Car Licence, be approved subject to the necessary checks and approvals processes undertaken by the Licensing Section; and (d) delegate authority to the Solicitor (Licensing) to grant the application.

3.4 Late Hours Catering Licence: LHCL/146 (NEW): BKUK Group Limited (Case 4 on Agenda)

It was noted that the application was before the Committee as the Applicant was seeking hours out with the Council's policy for grant by delegated powers (i.e. after 1.00 a.m.). The applicant, and their representative, having been duly cited to attend, were present and addressed the Committee and responded to questions.

The Committee agreed that it had sufficient information available to allow it to make a decision in respect of this matter.

Decision

Councillor McLean, seconded by Councillor Angus-McDonald, moved that the Committee agree to grant the Late Hours Catering Licence. There being no amendment, the motion was declared carried.

Accordingly, the Committee agreed to grant the Late Hours Catering Licence.

4. Urgent Items

There were no urgent items.

The meeting ended at 11.10 a.m.

The full meeting proceedings can be viewed at
<https://north-ayrshire.public-i.tv/core/portal/home>