

Protective Services Committee
11 December 1997

Irvine, 11 December 1997 - At a Meeting of the Protective Services Committee of North Ayrshire Council at 2.00 p.m.

Present

Jack Carson, Thomas Barr, Ian Clarkson, Joseph McKinney, Thomas Morris.

In Attendance

I Mackay, The Legal Services Manager; J Kerr, Principal Licensing and District Court Officer; L McHugh, Licensing Officer; and M McKeown, Administration Officer (Chief Executive).
Also Chief Superintendent Anderson and Mrs C Dunn.

Chair

Mr Carson in the Chair.

Apologies for Absence

James Clements, John Donn, George Steven

1. Minutes Confirmed

The Minutes of the Meeting held on 6 November 1997, copies of which had previously been circulated, were confirmed.

2. Gaming Act 1968 Section 34: Applications

Submitted report by the Legal Services Manager on the undernoted applications in respect of permits under the Gaming Act 1968.

APPLICANT/PREMISES	NO. OF MACHINES
Brian Judge 8 Lower Vennel Village Centre Bourtreeshill Irvine	2
J Graham Snooker Club 37 Windmill Street Saltcoats	2

The Committee agreed a) to continue consideration of the first application to the next meeting; and b) to approve the second application.

3 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 6,

13 and 14 of Part 1 of Schedule 7A of the Act.

4. Civic Government (Scotland) Act 1982

(a) Licence Applications

Submitted the appended list (Appendix PROS1) of applications for licences made under the Civic Government (Scotland) Act 1982. In connection with each application shown on the list, the Committee took the decision indicated in the final column of the said Appendix.

(b) Hearings

Submitted report by the Legal Services Manager detailing applications to be heard by the Committee.

(i) Taxi Driver's Licence: TDL/744 (R)

An application received on 6 August 1997 from Mr H O for the renewal of a Taxi Driver's Licence.

The applicant had been invited to attend the Hearing or submit a written statement in support of the application. The applicant attended the Hearing but no written statement was received.

Following consideration of the circumstances surrounding the application, the Committee agreed to grant the licence for one year.

ii) Taxi Driver's Licence: TDL/813 (N)

An application received on 12 September 1997 from Mr C J R for the grant of a new Taxi Driver's Licence.

The applicant had been invited to attend the hearing or submit a written statement in support of his application. The applicant attended the hearing but no written statement was received.

Following consideration of the circumstances surrounding the application, the Committee agreed to continue consideration of the application to the next meeting of the Committee and requested that a report be submitted to the meeting in terms of Section 13(4) of the Civic Government (Scotland) Act 1982.

(iii) Taxi Driver's Licence: TDL/006 (N)

An application received on 15 September 1997 from Mr R H C for the grant of a new Taxi Driver's Licence.

The applicant had been invited to attend the hearing or submit a written statement in support of the application. The applicant was not in attendance at the hearing nor was a written statement in support of the application received.

Superintendent Anderson, representing the Chief Constable of Strathclyde Police was present and spoke to his objections to the application. He then withdrew from the meeting.

Having considered the submission before them, the Committee agreed to refuse the application on the grounds indicated in Paragraph 5(3) (a) (ii) of Schedule 1 to the Civic Government (Scotland) Act 1982 on the basis that the applicant is not a fit and proper person to be the holder of a Taxi Driver's Licence by virtue of the convictions recorded against him.

(iv) Taxi Driver's Licence: TDL/004 (N)

An application received on 17 September 1997 from Mr D M E for a new Taxi Driver's Licence.

The applicant had been invited to attend the Hearing or submit a written statement in support of the

application. The applicant attended the hearing but no written statement was received.

Having considered the facts and circumstances surrounding the application, the Committee agreed to grant the licence.

(v) Taxi Driver's Licence: TDL/067 (N)

An application received on 19 August 1997 from Ms C B for the grant of a new Taxi Driver's Licence.

The applicant had been invited to attend the Hearing or submit a written statement in support of the application. The applicant was present at the hearing but no written statement was submitted.

Having considered the submission before them, the Committee agreed to grant the licence for one year.

(vi) Taxi Driver's Licence: TDL/251 (N)

An application received on 1 September 1997 from Mr A M for the grant of a new Taxi Driver's Licence.

The applicant had been invited to attend the Hearing or submit a written statement in support of the application. The applicant attended the hearing but no written statement was submitted.

Having considered the submission before them, the Committee agreed to grant the licence for one year.

(vii) Taxi Driver's Licence: TDL/024 (N)

An application received on 15 September 1997 from Mr J L for the grant of a Taxi Driver's Licence.

The applicant had been invited to attend the Hearing or submit a written statement in support of the application. The applicant attended the hearing and submitted a written statement in support of the application.

The Committee, having noted the conflicting medical opinions expressed by the Council's doctor and the applicant's own doctor as to the applicant's fitness to drive a taxi, agreed to continue consideration of the application to the next meeting for more information.

(viii) Taxi Licence TL/165 (R)

An application received on 15 August 1997 from Mr W B for the renewal of a Taxi Operator's Licence.

The applicant had been invited to attend the Hearing or submit a written statement in support of the application. The applicant was not in attendance at the hearing but a letter was submitted.

The Committee, having noted the applicant's reasons for non-attendance, agreed to continue consideration of the application to the next meeting and to advise the applicant that his application would be determined at that meeting.

(ix) Taxi Licence TL/126 (R)

An application received from Mr G H for the renewal of a Taxi Operator's Licence.

The applicant had been invited to attend the Hearing or submit a written statement in support of the application. The applicant was not present and no written statement was received.

Members were advised that the applicant's vehicle was undergoing a vehicle test on 12 December 1997.

The Committee agreed to continue consideration of this application to the next meeting.

(x) Taxi Licence TL/156

An application received from Mr G C for the renewal of a Taxi Operator's Licence.

The applicant had been invited to attend the Hearing or submit a written statement in support of the application. The applicant attended the hearing but no written statement was received.

Having considered the information before them and the applicant's statements the Committee, after discussion, agreed to suspend the licence immediately.

(xi) Private Hire Care Licence: PHCL/020

A joint application received from Mr T S and Mrs M S for the renewal of a Private Hire Car Licence.

The applicants had been invited to attend the Hearing or submit a written statement in support of the application. The applicants were not present and no written statements were received.

The Committee agreed to suspend the licence.

(xii) Late Hours Catering Licence: LHCL/063 (N)

An application received on 27 June 1997 from Mr K S W for the grant of a late Hours Catering Licence.

The applicant had been invited to attend the Hearing or submit a written statement in support of the application. The applicant attended the hearing but no written statement was received.

After discussion the applicant amended the application before the Committee and now requested the same opening hours for the premises as had applied under the previous licence.

The Committee agreed to grant the licence on this basis.

(xiii) Second Hand Dealer's Licence: SHDL/045 (N)

An application received on 26 June 1997 from Mr I B M for the grant of a new Second Hand Dealer's Licence.

The applicant had been invited to attend the Hearing or submit a written statement in support of the application. The applicant did not attend the hearing but a written statement was received.

After discussion, the Committee agreed not to consider the application on the grounds that it was incompetent by reasons of the fact that no certificate of compliance had been submitted to the licensing Authority within the requisite time, in terms of Paragraph 5(4) of the Schedule 1 of the Civic Government (Scotland) act 1982.

(xiv) Late Hours Catering Licence: LHCL/057 (Temp)

An application received from Mr B B for the grant of a temporary late Hours Catering Licence.

The applicant had been invited to attend the Hearing or submit a written statement in support of the application. The applicant was not present but 2 written statements were received relating to amended hours of opening and security arrangements over the period.

The Committee agreed to grant the licence on this basis.

The meeting ended at 4.35 p.m.

**Protective Services Committee
11/12/97**

Appendix No
PROS 1

Applications for Licences/Renewal of Licences/Permits

Type of Licence Ref. No. & Date Rec'd	Details of Applicant	Decision
<u>Taxi Driver's Licences</u>		
1.	TDL /153 (N)	Richard Johnstone Dinning Agreed to grant.
2.	TDL/179 (N)	Stephen Scott Nelson Agreed grant.
3.	TDL/219 (N)	David McBlain Agreed to grant
4.	TDL/267 (N)	H K Agreed to defer consideration of the application and invite the applicant to attend Meeting of the Committee
5.	TDL/283 (N)	Mark Lang Agreed to grant.
6	TDL/292 (N)	James Bernard McGinty Agreed grant.
7	TDL/387 (R)	Peter Kelly Agreed to grant.

8	TDL/499 (R)	M J S G Agreed to defer consideration of the application and invite the applicant to attend Meeting of the Committee
9	TDL/591 (R)	A C Agreed to defer consideration of the application and invite the applicant to attend Meeting of the Committee
10	TDL/861 (R)	A C C Agreed to defer consideration of the application and invite the applicant to attend Meeting of the Committee
11	TDL/331 (N)	Andrew Gordon Morrison Agreed to grant
<u>Taxi Licences</u>		
12.	TL/217 (R)	Robert Strachan Agreed to grant
<u>Private Hire Car Driver Licences</u>		
13.	PHCDL/036 (N)	W G N Agreed to defer consideration of the application and invite the applicant to attend Meeting of the Committee
<u>Private Hire Car Licences</u>		

14	PHCL/080 (R)	F S Agreed to defer consideration of the application and invite the applicant to attend a Meeting of the Committee
<u>Street Trader Employee Licence</u>		
15	STL/E/051 (N)	Mark Parducci Agreed to grant
<u>Street Trader Operator's Licence</u>		
16	STL/O/027 (N)	Robbie McCulloch Agreed to grant.
17	STL/O/122 (R)	J D S Agreed to defer consideration of the application and invite the applicant to attend Meeting of the Committee
<u>Second Hand Dealer's Licence</u>		
18.	SHDL/034 (N)	R R Agreed to defer consideration of the application and invite the applicant to attend a Meeting of the Committee
<u>19</u>	SHDL/037 (N)	Paul C Batty Anthony Danton Simon Gardner Michael Porritt Adrian Healy Agreed to grant
<u>Late Hours Catering Licence</u>		
20	LHCL/016 (N)	M S and S F Agreed to defer consideration of the application and invite the applicant to attend Meeting of the Committee

21	LHCL/066 (N)	Tahir IlyasAgreed to grant.
Extra Item		
22	TL/305	Ettero MurrayAuthorisation granted to process application