

Protective Services Committee
26 November 1998

Irvine, 26 November 1998 - At a Meeting of the Special Protective Services Committee of North Ayrshire Council at 11.00 a.m.

Present

Jack Carson, Thomas Barr, Ian Clarkson, and Thomas Morris.

In Attendance

I. MacKay, Assistant Chief Executive (Legal and Regulatory Services), L. McHugh, Solicitor (Licensing), and M. McCann, Administrative Assistant (Licensing) (Legal and Regulatory Services); and M. McKeown, Administration Officer (Chief Executive)

Chair

Mr Carson in the Chair.

Apologies for Absence

Elliot Gray, 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 items of business on the grounds that they involve the likely disclosure of exempt information as defined in Paragraphs 6 and 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 Services) on individual licences where a formal hearing has been convened and which require to be determined by the Committee.

The Committee agreed to dispose of these matters as indicated the attached Appendix (PROS1).

The meeting ended at 12.10 p.m.

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Appendix No
PROS 1

Determination of Hearings convened under the Civic Government (Scotland) Act 1982

Licence Type/

Reference No.

Date Received

Decision

1. TDL/097

1 September 1998

Grant

The applicant having been duly cited, attended the Hearing. Chief Superintendent Anderson presented the Chief Constable's representations to the application and the Solicitor (Licensing) advised the Committee as to the background to the Hearing as intimated to the applicant in letter dated 30th October 1998. The applicant then addressed the Committee before withdrawing together with the Police representative and the Solicitor (Licensing).

In granting the application 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 one year.

2. TDL/096

17 July 1998

Grant

The applicant having been duly cited, attended the Hearing. Chief Superintendent Anderson presented the Chief Constable's representations to the application and the Solicitor (Licensing) advised the Committee as to the background to the Hearing as intimated to the applicant in letter dated 30th October 1998. The applicant then addressed the Committee before withdrawing together with the Police representative and the Solicitor (Licensing).

3. TDL/194

11 August 1998

(i) Suspend the licence

(ii) Refuse application for renewal

The applicant having been duly cited, did not attend the Hearing. Chief Superintendent Anderson presented the Chief Constable's representations to the application and the Solicitor (Licensing) advised the Committee as to the background to the Hearing as intimated to the applicant in letter dated 21 October 1998 before withdrawing from the meeting together with the Police representative.

The Committee agreed (a) to suspend the licence in terms of Paragraph 11 of Schedule I of the Civic Government (Scotland) Act 1982 on the grounds that the applicant is not a fit and proper person to be the holder of a taxi driver's licence in terms Paragraph 11(2) (a) of Schedule I of the said Act; and (b) to refuse the application for renewal in terms of Paragraph 5 (3) (a) (ii) of Schedule I of the said Act on the grounds that the individual is not a fit and proper person to be the holder of a taxi drivers licence by virtue of the convictions recorded against him.

4. STL/E/022**8 September 1998****Grant**

The applicant having been duly cited, attended the Hearing. Chief Superintendent Anderson presented the Chief Constable's representations to the application and the Solicitor (Licensing) set out the background to the Hearing as intimated to the applicant in letter 30th October 1998. The applicant then addressed the Committee before withdrawing together with the Police representative and the Solicitor (Licensing).

5. SHDL/065**3 August 1998****Grant**

The applicant having been duly cited, attended the Hearing and was represented. Chief Superintendent Anderson presented the Chief Constable's representations to the application and the Solicitor (Licensing) set out the background to the Hearing as intimated to the applicant in letter 30th October 1998. The applicant and his representative then addressed the Committee before withdrawing together with the Police representative and the Solicitor (Licensing).

In granting the application 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 two years.