

Protective Services Committee
3 September 1998

Irvine, 3 September 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, David Gallagher, Thomas Morris, Richard Wilkinson

In Attendance

The Legal Services Manager, L. McHugh, Solicitor (Licensing), M. McCann, Administrative Assistant (Licensing) (all Legal Services); and M. McKeown, Administration Officer (Chief Executive) and Chief Superintendent Anderson, Strathclyde Police

Chair

Councillor Carson in the Chair.

Apologies for Absence

Patrick Browne, Joseph McKinney and Elliot Gray

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 Legal Services Manager 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 1.10 p.m.

**Protective Services Committee
03/09/98**

Appendix No **PROS 1**

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

<u>Licence Type/ Reference No.</u>	<u>Date Received</u>	<u>Decision</u>
1. TDL/446	18 May 1998	Refused
<p>The applicant having been duly cited, attended the Hearing. Chief Superintendent Anderson presented the Chief Constable's objections to the Solicitor (Licensing) advised the Committee as to the background to the Hearing as intimated to the applicant in letter dated 4 August 1998 addressed the Committee before withdrawing together with the Police representative and the Solicitor (Licensing).</p> <p>The Committee agreed to refuse the application on the grounds indicated in Paragraph 5(3)(a)(ii) of Schedule I of the Civic Government (Scotland) Act 1982 as 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.</p>		
2. TDL/236	30 March 1998	Grant
<p>The applicant having been duly cited, attended the Hearing. Chief Superintendent Anderson presented the Chief Constable's objections to the Solicitor (Licensing) advised the Committee as to the background to the Hearing as intimated to the applicant in letter dated 10 August 1998 addressed the Committee before withdrawing together with the Police representative and the Solicitor (Licensing).</p> <p>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.</p>		
3. TDL/396	15 May 1998	Grant
<p>The applicant having been duly cited, did not attend the Hearing but was represented. The Solicitor (Licensing) advised the Committee as to the Hearing as intimated to the applicant in letter dated 10 August 1998. The applicant's representative then addressed the Committee before withdrawing together with the Solicitor (Licensing).</p> <p>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.</p>		

4.

TL/073

31 March 1998

Refuse

The applicant having been duly cited, attended the Hearing. Chief Superintendent Anderson presented the Chief Constable's objections to the Solicitor (Licensing) set out the background to the Hearing as intimated to the applicant in letter 10 August 1998. The applicant then addressed the Committee withdrawing together with the Police representative and the Solicitor (Licensing).

The Committee agreed to refuse the application on the grounds indicated in Section 10(2) of the Civic Government (Scotland) Act 1982.

	<u>Licence Type/ Reference No.</u>	<u>Date Received</u>	<u>Decision</u>
5.	STL/O/021	2 April 1998	Refuse
	<p>The applicant having been duly cited, attended the Hearing. Chief Superintendent Anderson presented the Chief Constable's objections to the Solicitor (Licensing) set out the background to the Hearing as intimated to the applicant in letter 10 August 1998. The applicant then addressed the Committee withdrawing together with the police representative and the Solicitor (Licensing).</p> <p>The Committee agreed to refuse the applications on the grounds indicated in Paragraph 5 (3) (a) (ii) of Schedule I of the Civic Government (Scotland) Act 1982. The applicant is not a fit and proper person to be the holder of a street traders licence by virtue of the convictions recorded against him.</p>		
6.	SHDL/071	8 May 1998	Refuse
	<p>The applicant having been duly cited, attended the Hearing and was represented. Chief Superintendent Anderson presented the Chief Constable's objections to the application and the Solicitor (Licensing) set out the background to the Hearing as intimated to the applicant in letter 10 August 1998. The applicant then addressed the Committee before withdrawing together with the Police representative and the Solicitor (Licensing).</p> <p>Councillor Carson, seconded by Councillor Clarkson moved that the application be refused on the grounds indicated in Paragraphs 5(3)(a)(ii) of the Civic Government (Scotland) Act 1982. As an amendment Councillor Gallagher, seconded by Councillor Morris moved that the application be granted under 8(2)(b) of Schedule I of the said Act for a restricted period of one year. On a division there voted for the motion 3 (for the amendment 3) and on the Chair the motion was declared carried.</p>		
7.	STL/O/060	17 March 1998	Refused
	<p>The applicant having been duly cited did not attend the Hearing. The Solicitor (Licensing) set out the background to the Hearing as intimated to the applicant in letter 10 August 1998.</p> <p>The Committee agreed to refuse the application on the grounds indicated in S 39 (4) of the Civic Government (Scotland) Act 1982.</p>		
8.	STL/O/079	31 March 1998	Grant

The applicant having been duly cited, attended the Hearing. The Solicitor (Licensing) set out the background to the Hearing as intimated to the August 1998. The applicant then addressed the Committee before withdrawing together with the Solicitor (Licensing).

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 ye

9.	TDL/847	N/A	Continued to the afternoon meeting
10.	TDL/813	N/A	Continued to the afternoon meeting
11.	TDL/161	14 April 1998	Grant

The applicant having been duly cited, attended the Hearing. The Solicitor (Licensing) set out the background to the Hearing as intimated to the August 1998. The applicant then addressed the Committee before withdrawing together with the Solicitor (Licensing).

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 ye

12	TDL/455	22 April 1998	Grant
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The applicant having been duly cited, attended the Hearing. The Solicitor (Licensing) set out the background to the Hearing as intimated to the August 1998. The applicant then addressed the Committee before withdrawing together with the Solicitor (Licensing).

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 ye

13.	TDL/462	30 April 1998	Grant
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The applicant having been duly cited, attended the Hearing. The Solicitor (Licensing) set out the background to the Hearing as intimated to the August 1998. The applicant then addressed the Committee before withdrawing together with the Solicitor (Licensing).

14.	TDL/036	19 May 1998	Grant
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The applicant having been duly cited, attended the Hearing. The Solicitor (Licensing) set out the background to the Hearing as intimated to the August 1998. The applicant then addressed the Committee before withdrawing together with the Solicitor (Licensing).