

**LICENSING AND REGISTRATION PANEL - 17 MAY 2001**

---

**Licensing and Registration Panel**

**Thursday 17 May 2001 at 3.00 pm**

**Present:** Councillors Calvert, McCormick, Morrison (D), Morrison (M), Nimmo and Rebecchi.

**Chair:** Councillor Morrison (D) presided.

**In attendance:** Mr G Douglas (for Director of Legal & Support Services).

**Apologies:** Councillor McGraw.

**The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Panel.**

**448      Application for Taxi Licence - Kathleen O'Hare      448**

There was submitted a report dated 24 April 2001 by the Director of Legal & Support Services on an application for a Taxi Licence by Kathleen O'Hare who had omitted to make timeous application for her licence to be renewed before its expiry on 31 March 2001. The report advised that Mrs O'Hare's licence was granted following the use of the emergency powers procedure under Standing Order 66(a).

**Noted**

**449      Applications for Permits for Amusement with Prizes Machines -      449**  
**Mango, 204 Dalrymple Street, Greenock**  
**Word-Up, 210 Dalrymple Street, Greenock**

There was submitted a report dated 3 May 2001 by the Director of Legal & Support Services on applications for Permits for Amusement with Prizes Machines from Lapwine (Licence) Ltd to situate one machine within each of the premises known as Mango, 204 Dalrymple Street, Greenock and Word-Up, 210 Dalrymple Street, Greenock.

**Decided:** that the applications be granted.

**450      Taxi Licensing: Demand for Taxis      450**

There was submitted a report by the Director of Legal & Support Services on the responses received following the survey carried out by the Director of Legal & Support Services to ascertain the demand for the services of taxis within Inverclyde. Following discussion, Councillor Morrison (D) moved (i) that the Panel take the view that there was no significant unmet demand for the services of taxis within Inverclyde, (ii) that it be remitted to the Director of Legal & Support Services to submit a report on the current procedure allowing for the surrender/transfer of taxi licences and (iii) that it be remitted to the Director of Legal & Support Services to carry out at regular intervals a survey of demand for the services of taxis to ensure the Council as Licensing Authority is kept informed as to the current position and to investigate further available methods of survey. As an

**LICENSING AND REGISTRATION PANEL - 17 MAY 2001**

---

amendment, Councillor Morrison (M), as an amendment to part (i) of the motion, moved that the Panel take the view that the results of the survey were inconclusive and did not show that there was no significant unmet demand for the services of taxis within the area and that additional taxi licences should be granted. On a vote, 1 Member voted for the amendment and 5 for the motion which was declared carried.

**Decided:**

- (1) that the Panel take the view that there is no significant unmet demand for the services of taxis in Inverclyde;
- (2) that it be remitted to the Director of Legal & Support Services to submit a report on the current procedure allowing for the surrender/transfer of taxi licences; and
- (3) that it be remitted to the Director of Legal & Support Services to carry out at regular intervals a survey of demand for the services of taxis to ensure the Council as Licensing Authority is kept informed as to the current position and to investigate further available methods of survey.

**451      Application for Taxi Licence - Samuel Ross      451**

There was submitted a report dated 8 May 2001 by the Director of Legal & Support Services on an application for a Taxi Licence by Samuel Ross. The Panel heard Mr Ross in support of his application.

Councillor Nimmo declared an interest in this item and took no part in its consideration or decision.

Following discussion, Councillor Morrison (M) moved that the application be granted. As an amendment, Councillor Rebecchi moved that the application be refused. On a vote, 1 Member voted for the motion and 4 for the amendment which was declared carried.

**Decided:** that the application be refused.

**452      Applications for Taxi Licences - James A McPate      452**

There was submitted a report dated 8 May 2001 by the Director of Legal & Support Services on applications for three Taxi Licences by James A McPate.

**Decided:** that the applications be refused.

**453      Application for Taxi Licence - William J Smith      453**

There was submitted a report dated 8 May 2001 by the Director of Legal & Support Services on an application for a Taxi Licence by William J Smith. The Panel heard Mr Smith in support of his application. Following discussion, Councillor Morrison (M) moved that the application be granted. As an amendment, Councillor Rebecchi moved that the application be refused. On a vote, 1 Member voted for the motion and 5 for the amendment which was declared carried.

**Decided:** that the application be refused.

**LICENSING AND REGISTRATION PANEL - 17 MAY 2001**

---

**454 Application for Taxi Licence - John M Harvey**

454

There was submitted a report dated 8 May 2001 by the Director of Legal & Support Services on an application for a Taxi Licence by John M Harvey. The Panel heard Mr Hendry, agent for the applicant, and Mr Harvey. The applicant advised that he would surrender an existing Private Hire Car Licence previously issued for a vehicle in his business if the new application was granted.

**Decided:**

- (1) that the application be granted subject to the conditions restricting operation of the licences to Inverkip and Wemyss Bay as detailed in the restricted licences presently in circulation;
- (2) that the licence be granted to the applicant personally and therefore be non-transferrable; and
- (3) that an existing Private Hire Car Licence held by the applicant be surrendered.

**455 Applications for Taxi Licences - Robert Marshall**

455

There was submitted a report dated 8 May 2001 by the Director of Legal & Support Services on applications for two licences by Robert Marshall. The Panel heard Mr Marshall in support of his applications. Mr Marshall advised that he would surrender two of his existing Private Hire Car Licences if the new applications were granted.

**Decided:**

- (1) that the applicant be granted one licence subject to the conditions restricting operation of the licences to Inverkip and Wemyss Bay as detailed in the restricted licences presently in circulation;
- (2) that the licence be granted to the applicant personally and therefore be non-transferrable;
- (3) that one of the existing Private Hire Car Licences currently held by the applicant be surrendered; and
- (4) that the application for a second taxi licence be refused.

**It was agreed in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 as amended that the public and press be excluded from the meeting during consideration of the following items of business on the grounds that the business involved the likely disclosure of exempt information as defined in paragraph 6 of Part I of Schedule 7(A) of the Act.**

**456 Taxi Advertising - "Whole" Vehicle Proposal**

456

There was submitted a report dated 13 April 2001 by the Director of Legal & Support Services on a request from a businessman to consider a proposal for "whole" vehicle advertising as an exception to the current policy for signage on taxis, with particular reference to a permitted extent of advertising on the exteriors of taxis. The businessman was present and spoke to the Panel on his request. Following discussion, Councillor Morrison (M) moved that the request be granted. As an amendment, Councillor Rebecchi moved that the request be granted but that there be no advertising on the rear bumper of the vehicle. On a vote, 1 Member voted for the amendment and 5 for the motion which was

LICENSING AND REGISTRATION PANEL - 17 MAY 2001

---

declared carried.

**Decided:**

- (1) that the request be agreed; and
- (2) that it be remitted to the Director of Legal & Support Services, in consultation with the Chairperson, Councillor McCormick and a Member of the Minority Groups, to determine any further proposals for "whole" vehicle advertising.

**457 Application for Taxi Driver's Licence - Luigi Marturano 457**

There was submitted a report dated 18 April 2001 by the Director of Legal & Support Services on an application for a Taxi Driver's Licence by Luigi Marturano following a medical report from the Council's Medical Examiner intimating that he does not consider Mr Marturano to be medically fit to hold a Taxi Driver's Licence. The Panel heard Mr Marturano in support of his application. Following discussion, Councillor Nimmo moved that the application be refused. As an amendment, Councillor Morrison (M) moved that the application be granted. On a vote, 2 Members voted for the amendment and 4 for the motion which was declared carried.

**Decided:** that the application be refused.

**458 Application for Taxi Driver's Licence - Brian Campbell 458**

There was submitted a report dated 24 April 2001 by the Director of Legal & Support Services on an application for a Taxi Driver's Licence by Brian Campbell following an objection by the Chief Constable that the applicant was not a fit and proper person to hold such a licence by virtue of his previous conviction.

**Decided:** that the application be refused.

**459 Application for Taxi Driver's Licence - Graham Cromar 459**

There was submitted a report dated 19 April 2001 by the Director of Legal & Support Services on an application for a Taxi Driver's Licence by Graham Cromar following an objection by the Chief Constable that the applicant was not a fit and proper person to hold such a licence by virtue of his previous convictions. The Panel heard Acting Superintendent Scally and Mr Cromar. Following discussion, Councillor Nimmo moved that the application be granted. As an amendment, Councillor McCormick moved that the application be refused. On a vote, 2 Members voted for the motion and 4 for the amendment which was declared carried.

**Decided:** that the application be refused.

**460 Application for Taxi Driver's Licence - Donald Warnock 460**

There was submitted a report dated 19 April 2001 by the Director of Legal & Support Services on an application for a Taxi Driver's Licence by Donald Warnock following an objection by the Chief Constable that the applicant was not a fit and proper person to hold such a licence by virtue of his previous conviction. The Panel heard Acting Superintendent Scally and Mr Warnock.

LICENSING AND REGISTRATION PANEL - 17 MAY 2001

---

**Decided:** that the application be granted.

**461 Request for Suspension of Private Hire Car Licence - David McKenna**

**461**

There was submitted a report dated 25 April 2001 by the Director of Legal & Support Services requesting the Panel to consider suspension of the Private Hire Car Licence held by David McKenna on the grounds that the applicant was not a fit and proper person to hold a Private Hire Car Licence by virtue of his previous convictions.

**Decided:** that the Private Hire Car Licence held by David McKenna be suspended immediately.