

LICENSING AND REGISTRATION PANEL - 19 DECEMBER 2002

Licensing and Registration Panel**Thursday 19 December 2002 at 3.00 pm****Present:** Councillors McGraw, Morrison (D), Morrison (M), Nimmo and Rebecchi.**Chair:** Councillor Morrison (D) presided.**In attendance:** Mr G Douglas (for Director of Legal & Support Services).**Apologies:** Councillors Calvert and McCormick.**With the exception of the decision marked "C" which is open for confirmation or otherwise, the following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Panel.****997 Application for Permit for Amusement with Prizes Machines 997**
14 Westburn Street, Greenock - Messrs D & D Stewart

There was submitted a report dated 15 November 2002 by the Director of Legal & Support Services on an application from Messrs D & D Stewart to operate 50 amusement with prizes machines (including 25 all-cash machines) at 14 Westburn Street, Greenock, being a renewal of an existing permit.

Decided: that the application be granted.**998 Application for Market Operator's Licence: Audrey Fenton Events 998**

There was submitted a report dated December 2002 by the Director of Legal & Support Services requesting the Panel to consider an application for a market operator's licence by Audrey Fenton Events to allow the operation of a market selling farm produce to take place at the Shore Street car park, Port Glasgow on the first Saturday of every month between 9.00 am and 4.00 pm and including as an appendix a draft licence for consideration.

Decided: that the application be granted until 31 March 2004 on the terms and conditions of the licence as set out in the appendix.**999 Application for Taxi Licence: Donald Fulton 999**

There was submitted a report dated 4 December 2002 by the Director of Legal & Support Services advising of the use of the emergency powers procedure under Standing Order 66(a) to authorise the grant of a taxi licence to Donald Fulton who had omitted to make timeous application for his licence to be renewed before it expired.

Noted

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1000 Application for Taxi Licence: Mrs Mary McNee 1000

There was submitted a report dated 4 December 2002 by the Director of Legal & Support Services advising of the use of the emergency powers procedure under Standing Order 66(a) to authorise the grant of a taxi licence to Mrs Mary McNee who had omitted to make timeous application for her licence to be renewed before it expired.

Noted

1001 Application for Taxi Driver's Licence: William Tucker 1001

There was submitted a report dated 4 December 2002 by the Director of Legal & Support Services advising of the use of the emergency powers procedure under Standing Order 66(a) to refuse an application for the grant of a taxi driver's licence by William Tucker.

Noted

1002 Disability Discrimination Act 1995 1002
The Taxi Drivers' Licences (Carrying of Guide Dogs and Hearing Dogs) (Scotland) Regulations 2002

There was submitted a report dated 10 December 2002 by the Director of Legal & Support Services advising the Panel of the coming into effect on 2 December 2002 of The Taxi Drivers' Licences (Carrying of Guide Dogs and Hearing Dogs) (Scotland) Regulations 2002 which requires the Council as licensing authority to introduce an obligation on a licensed driver to carry guide, hearing and other assistance dogs accompanying disabled people and to do so at no additional charge and that by way of a condition to be included within all new or renewed licences issued from 3 March 2003. The report included appendices setting out the new condition and consequent amendments to the other conditions of the taxi driver's licence and advice notes prepared for taxi drivers and disabled people by the Scottish Executive.

Decided:

- (1) that the Panel note the coming into effect of the Regulations and approve for its interest the addition to and amendment of the conditions applying to taxi driver's licences issued on or after 3 March 2003 as set out in Appendix 1 to the report;
- (2) that the Panel confirm its previous view as part of the consultation process and agree that the new obligation shall apply to those driving private hire cars under taxi driver's licences issued on or after 3 March 2003; and
- (3) that the Panel note the arrangements required for dealing with applications for exemption from the new Regulations and delegate authority to the Director of Legal & Support Services to take all necessary action in connection therewith, including power to determine applications for such exemption.

1003 Application for Street Trader's Licence: Daniel Ogilvie 1003

There was submitted a report dated 21 November 2002 by the Director of Legal & Support Services on an application by Mr Daniel Ogilvie for a street trader's licence to allow him to

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trade from a hamburger snack van on Drumfrochar Road, Greenock. The Chief Constable, Strathclyde Police had submitted a letter offering comments that the proposed site was unsuitable, while the Head of Transportation & Roads Service indicated he had no objection provided there would be no obstruction to traffic and the site was kept clear of litter. The Panel heard Chief Inspector McGrath and Ms Gordon, agent for the applicant. After 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 3 for the motion which was declared carried. Those Members who had voted in favour of the amendment then requested in terms of the relevant Standing Order that the matter be referred to The Inverclyde Council for decision in terms of the amendment.

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

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.

1004 Application for Taxi Driver's Licence: William Tracey **1004**

There was submitted a report by the Director of Legal & Support Services on an application for a taxi driver's licence by William Tracey following a letter of representation by the Chief Constable relating to a previous conviction.

Councillor Nimmo declared an interest in the matter and left the meeting prior to commencement of the hearing.

Decided: that the application be granted and, in the exceptional circumstances, authority be delegated to the Director of Legal & Support Services to grant a temporary licence for the period during which any appeal against the decision might be made.

Councillor Nimmo returned to the meeting for consideration of the remaining item.

1005 Application for Taxi Driver's Licence: Cameron Robert Stewart **1005**

There was submitted a report dated 6 December 2002 by the Director of Legal & Support Services on an application for a taxi driver's licence by Cameron Robert Stewart 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.

Decided: that the application be granted.