

**GENERAL PURPOSES BOARD - 11 JUNE 2008**

---

**General Purposes Board**

**Wednesday 11 June 2008 at 3 pm**

**Present:** Councillors Ahlfeld, Brooks, Dorrian, Fyfe, Grieve, MacLeod, McCallum, Moran and Rebecchi.

**Chair:** Councillor Ahlfeld presided.

**In attendance:** Mr J Douglas (for Head of Legal & Administration).

**Apologies:** Councillors McIlwee and McKenzie.

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

**442      Application for Street Trader's Licence: Tracy Ann Donaldson**

**442**

There was submitted a report by the Head of Legal & Administration on an application for a Street Trader's Licence by Ms Tracy Ann Donaldson to allow her to operate a hot food van in East Breast, Greenock between the hours of 7 am and 3 pm Mondays to Saturdays. An objection to Ms Donaldson's application was received from the Head of Environmental Services (Roads) on the grounds that (1) East Breast served a variety of commercial premises, had a high demand for on street parking and HGVs carry out loading and reversing movements on the road when servicing the hire depot; (2) the on street parking and servicing caused confrontation and congestion to the detriment of road safety; and (3) there was no footway at the proposed location which would result in customers walking and being served in the carriageway therefore prejudicing pedestrians and road safety. He indicated also that as this location was currently severely congested the granting of a licence would further prejudice road safety.

An observation to Ms Donaldson's application was also received from the Chief Constable which indicated that the hours applied for were outwith the Council's policy for street trader's licences. He also requested that should such a licence be granted the applicant be required to remove her self-contained snack van outwith the trading hours in order to comply with her statutory duties under the Road Traffic Act 1988.

The Board heard Mr C Jack, Environmental Services (Roads), Constable Gailey and Ms Tracy Ann Donaldson.

Councillor Ahlfeld moved that the application be granted Mondays to Saturdays from 8 am to 3 pm subject to the condition that the snack van be removed from the location outwith these hours. As an amendment Councillor Fyfe moved that the application be refused. On a vote 2 Members voted for the amendment and 6 for the motion which was declared carried.

**Decided:** that the application be granted Mondays to Saturdays 8 am to 3 pm and that the snack van be removed from the location outwith these hours.

**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 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.**

**443      Transfer of Taxi Licences**

**443**

**GENERAL PURPOSES BOARD - 11 JUNE 2008**

---

There was submitted a report by the Head of Legal & Administration on the current position regarding the transfer of taxi licences within Inverclyde.

**Decided:**

- (1) that the item be continued to a further meeting of the Board; and
- (2) that it be remitted to the Head of Legal & Administration to obtain information from all other local authorities as to how they deal with taxi licence transfers, to determine whether a monopoly situation exists where an individual owns the solitary bus company and a number of taxis in the area and to report back to the Board.

**444 Age of Vehicles Licensed as Taxis/Private Hire Cars 444**

There was submitted a report by the Head of Legal & Administration regarding the age of vehicles presently licensed as taxis and private hire cars.

**Decided:** that the item be continued to a further meeting of the Board.

**445 European Standards of Vehicle Testing 445**

Mr Douglas advised the Board that this item had been withdrawn.

**446 Update on Current Situation in Relation to Taxis 446**

There was submitted a report by the Head of Legal & Administration updating the Board on the current situation in relation to taxis.

**Decided:** that it be remitted to the Head of Legal & Administration to ascertain the cost of a feasibility study and to investigate the possibility of the taxi companies contributing 60% of that cost.

**447 Request for Suspension of Taxi Driver's Licence: Ian McMillan 447**

There was submitted a report by the Head of Legal & Administration on the possible suspension of Mr McMillan's taxi driver's licence. At its meeting on 14 May 2008 the Board had decided to continue the application to allow for further investigation to be made by the Head of Legal & Administration. The Board heard Mr McMillan, Mr John Cushnaghan of Safer Communities and Ms Ann Marie Black of Safer Communities. Councillor Brooks moved that the licence be suspended with immediate effect for the remainder of its term. As an amendment Councillor Moran moved that the licence be suspended for 6 weeks. On a vote 2 members voted for the amendment and 7 for the motion which was declared carried.

**Decided:** that the licence be suspended with immediate effect for the remainder of its term.

**448 Taxi Driver's Licence: Kenneth Collins 448**

There was submitted a report by the Head of Legal & Administration on the possible reinstatement of Mr Collins' taxi driver's licence. At its meeting on 9 April 2008 the Board had decided that Mr Collins' licence be suspended with immediate effect and that it be remitted to the Head of Legal & Administration to obtain further medical reports. Mr Douglas advised the Board that a satisfactory medical report had now been received from the Council's Medical Adviser.

**Decided:** that Mr Collins' taxi driver's licence be reinstated.

GENERAL PURPOSES BOARD - 11 JUNE 2008

---

**449 Taxi Driver's Licence: William Borland****449**

There was submitted a report by the Head of Legal & Administration on the possible reinstatement of Mr Borland's taxi driver's licence which had been suspended on receipt of an adverse medical report from the Council's Medical Examiner. Mr Douglas advised the Board that a satisfactory medical report had now been received.

**Decided:** that Mr Borland's taxi driver's licence be reinstated.

**450 Application for Renewal of Taxi Driver's Licence: Thomas Knight****450**

There was submitted a report by the Head of Legal & Administration on an application for renewal of a taxi driver's licence by Mr Thomas Knight following a representation by the Chief Constable on the ground that he is unable to confirm whether or not Mr Knight is a fit and proper person to hold such a licence as enquiries were presently ongoing with DVLA Swansea. The Board heard Constable Gailey.

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