

GENERAL PURPOSES BOARD - 12 AUGUST 2009

General Purposes BoardWednesday 12 August 2009 at 3 pm

Present: Councillors Brooks, Dorrian, Fyfe, Grieve, MacLeod, McIlwee, McKenzie, Moran and Rebecchi.

Chair: Councillor McKenzie presided.

In attendance: Mr H McNeilly (for Head of Legal & Administration).

Apologies: Councillor Ahlfeld.

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

456 Licensing of Taxi and Private Hire Car Booking Offices 456

There was submitted a report by the Head of Legal & Administration advising the Board that the Scottish Government has legislated to introduce a requirement for taxi and private hire car booking offices.

Decided:

- (1) that the Board note the introduction of the licensing system for taxi and private hire car booking offices; and
- (2) that it be remitted to the Head of Legal & Administration to make the necessary administrative arrangements for implementation of the new licensing system.

457 Licensing of Knife Dealers 457

There was submitted a report by the Head of Legal & Administration advising that the Scottish Government has legislated to introduce a requirement for the licensing of knife dealers.

Decided:

- (1) that the Board note the introduction of the licensing system for knife dealers;
- (2) that it be remitted to the Head of Legal & Administration to make the necessary administrative arrangements for implementation of the new licensing system; and
- (3) that the period of the licence be three years.

Councillor Dorrian entered the meeting during consideration of this item.

458 Taxi Fares Review 2009 458

There was submitted a report by the Head of Legal & Administration advising of the outcome of the informal consultation process for the annual review of taxi fares namely the proposal submitted by Inverclyde Taxis Ltd with comments from the Head of Environmental Services. The Board heard Mr McNeilly who summarised the contents of the report and the relative correspondence.

Decided: that for the purpose of public consultation the Council's proposal for the review of taxi fares be an addition of an extra charge of £1 per passenger after the first four.

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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.

459 Application for Licence for House in Multiple Occupation - Clyde Marine Transport Ltd: Eastmost Middle Floor Flat, 32 Ardgowan Street, Greenock 459

There was submitted a report by the Head of Legal & Administration on an application for a licence for house in multiple occupation by Clyde Marine Transport Ltd for eastmost middle floor flat at 32 Ardgowan Street, Greenock following a number of objections by residents and an objection from the Head of Planning & Housing Services.

At its meeting on 10 June 2009 the Board had decided that the application be continued to a further meeting of the Board to allow for the provision of a satisfactory tenancy agreement by Clyde Marine Transport Ltd and that a visit to the property be arranged for the purpose of fact finding.

Mr McNeilly advised the Board that as a satisfactory Tenancy Agreement had been received from Clyde Marine Transport Ltd the Head of Planning & Housing Services had withdrawn his objection.

The Board heard Ms Alison Forsyth of Anderson Strathern LLP in support of the application and Mr D Cromar on behalf of the resident objectors.

Decided: that the application be approved in principle for further consideration by the Council as licensing authority.

460 Request for Suspension of Taxi Driver's Licence: Mr Stuart Gray 460

There was submitted a report by the Head of Legal & Administration on the possible suspension of Mr Gray's taxi driver's licence on the grounds that he was no longer a fit and proper person to hold such a licence by virtue of the conduct described in the report. The Board heard Constable Gailey and Mr Gray and viewed a short video.

Decided: that the licence not be suspended.

461 Request for Suspension of Second Hand Dealer's Licence: Andrew Galbraith 461

There was submitted a report by the Head of Legal & Administration on the possible suspension of Mr Galbraith's second hand dealer's licence on the grounds that he was no longer a fit and proper person to hold such a licence by virtue of the conduct described in the report.

Mr McNeilly advised the Board that Mr Galbraith was ill and therefore unable to attend.

Decided: that the application be continued to a further meeting of the Board to allow Mr Galbraith to attend.

462 Application for Taxi Licence: Mark James Brown 462

There was submitted a report by the Head of Legal & Administration on an application for taxi licence for a wheelchair accessible vehicle.

At its meeting on 16 January 2008 the Board had refused an application by Mr Brown for a taxi licence for a wheelchair accessible vehicle. Mr Brown has now made a further application.

Objections were received from Mr Paul Travers, Mr James Cannon and Inverclyde Taxis

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Ltd. The Board heard Mr Lamb in support of the application and Mr Travers and Mr McEntegart in support of the objections.

Decided:

- (1) that the application be refused;
- (2) that the fee be refunded; and
- (3) that a future application be given priority pending the outcome of the survey.

463 Application for Taxi Licence: William Rodgers and Gemma McKee**463**

There was submitted a report by the Head of Legal & Administration on an application for a taxi licence for a wheelchair accessible vehicle by Mr William Rodgers and Ms Gemma McKee.

At its meeting on 16 January 2008 the Board had refused an application by William Rodgers and Gemma McKee for a taxi licence for a wheelchair accessible vehicle. Mr Rodgers and Ms McKee have now made a further application.

Objections were received from Mr Paul Travers, Mr James Cannon and Inverclyde Taxis Ltd.

Mr Lamb advised the Board that the application had been withdrawn.

Decided:

- (1) that it be noted that the application had been withdrawn;
- (2) that the fee be refunded; and
- (3) that a future application be given priority pending the outcome of the survey.

464 Application for Taxi Licence: Daniel Ogilvie**464**

There was submitted a report by the Head of Legal & Administration on an application for a taxi licence for a wheelchair accessible vehicle by Mr Daniel Ogilvie.

Mr McNeilly advised the Board that the application had been withdrawn.

Decided:

- (1) that it be noted that the application has been withdrawn;
- (2) that the fee be refunded; and
- (3) that a future application be given priority pending the outcome of the survey.

465 Application for Taxi Licence: Brian Stevenson**465**

There was submitted a report by the Head of Legal & Administration on an application for a taxi licence for a wheelchair accessible vehicle by Mr Brian Stevenson.

Objections were received from Mr Paul Travers, Mr James Cannon and Inverclyde Taxis Ltd.

Mr McNeilly advised the Board that the application had been withdrawn.

Decided:

- (1) that it be noted that the application had been withdrawn;
- (2) that the fee be refunded; and
- (3) that a future application be given priority pending the outcome of the survey.

466 Applications for Renewal of Taxi Licences: Clyde Cabs**466**

There was submitted a report by the Head of Legal & Administration on five applications for renewal of taxi licences specially adapted for the disabled namely numbers 234, 235, 236, 237 and 238.

At its meeting on 13 May 2009 the Board had decided that Clyde Cabs be required to

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surrender the five licences held by it. Clyde Cabs did not surrender the licences and a letter was received from their solicitors advising that they considered that the decision made by the Board was *ultra vires*.

Decided: that the five applications be continued to a further meeting of the Board to allow for intimation of consideration of the applications.