

GENERAL PURPOSES BOARD – 14 NOVEMBER 2012

General Purposes BoardWednesday 14 November 2012 at 3.00 pm

Present: Councillors Ahlfeld, Brennan, Brooks, Campbell-Sturgess, Dorrian, Jones, Loughran, McColgan and Rebecchi.

In attendance: Mr F Jarvie (for Head of Legal & Democratic Services), Sergeant David Macdonald, Strathclyde Police.

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

676 Apologies, Substitutions and Declarations of Interest 676

Apologies for absence were intimated on behalf of Councillors Grieve, MacLeod, McEleny and McIlwee.

Councillor Brooks substituting for Councillor Grieve, Councillor MacLeod substituting for Councillor McEleny and Councillor Clocherty substituting for Councillor McIlwee.

Councillor Clocherty and McColgan declared an interest in agenda item 11 (Application for Street Trader's Licence: Carla O'Neill and Derek Collins)

677 Taxi Fares Review 2012 677

There was submitted a report by the Head of Legal & Democratic Services requesting the Board to determine the taxi fares and scale charges following the annual review.

Mr Jarvie advised the Board that no objections or representations were received within the statutory period of one month following the date of the advertisement.

Decided: that it be remitted to the Head of Legal & Democratic Services to make the necessary arrangements to implement the new taxi fares and scales with effect from Sunday 25 November 2012 and to be completed by the following Sunday 2 December 2012.

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.

678 Application for Taxi Driver's Licence: Mark O'Neill 678

There was submitted a report by the Head of Legal & Democratic Services an application for grant of a Taxi Driver's Licence by Mr O'Neill following a Police representation.

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Mr O'Neill was not present or represented.

Mr Jarvie advised the Board that Mr O'Neill contacted the Licensing Office intimating that he had not received the necessary papers which had been posted to him. Mr O'Neill therefore requested that his application be continued to the next meeting of the Board.

Decided: that the application be continued to the next meeting of the Board.

679 Application for Taxi Driver's Licence: David Harper 679

There was submitted a report by the Head of Legal & Democratic Services on an application for the grant of a Taxi Driver's Licence by Mr Harper following a Police representation.

Mr Harper was present.

The Board heard Sergeant Macdonald in support of the police representation and Mr Harper in support of his application.

Decided: that the application be granted.

Councillor Loughran arrived at the meeting following the above item.

680 Application for Taxi Driver's Licence: Stephen Donnachie 680

There was submitted a report by the Head of Legal & Democratic Services on an application for the grant of a Taxi Driver's Licence by Mr Donnachie following a Police representation.

Mr Donnachie was present.

The Board heard Sergeant Macdonald in support of the Police representation and Mr Donnachie in support of his application.

Decided: that the application be granted.

681 Application for Taxi Driver's Licence: James Fraser 681

There was submitted a report by the Head of Legal & Democratic Services on an application for the grant of a Taxi Driver's Licence by Mr Fraser following a Police objection.

Mr Fraser was not present or represented.

The Board agreed to consider Mr Fraser's application in his absence.

The Board heard Sergeant Macdonald in support of the Police objection.

Decided: that the application be refused.

682 Request for Suspension of Taxi Driver's Licence: Neil Rankin 682

There was submitted a report by the Head of Legal & Democratic Services requesting the Board to consider upholding the immediate suspension of the Taxi Driver's Licence

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granted to Mr Rankin and also consider continuation of the suspension.

Mr Rankin was not present or represented.

The Board heard Sergeant Macdonald who intimated the background of the immediate suspension of Mr Rankin's Taxi Driver's Licence on 1 October 2012. Sergeant Macdonald requested the Board to consider continuation of the suspension for the unexpired portion of his licence.

Decided:

- (a) to uphold the immediate suspension; and
- (b) to continue the suspension for the unexpired portion of Mr Rankin's Taxi Driver's Licence (31 March 2013)

683 Application for Taxi Driver's Licence: William Smiley

683

There was submitted a report by the Head of Legal & Democratic Services on an application for the renewal of Taxi Driver's Licence by Mr William Smiley following an adverse medical report.

Mr Smiley was present with his representative, Mr Aidan Gallagher, Solicitor.

The Board heard Mr Gallagher in support of his client's application who intimated the further medical examination request by the Committee at their last meeting was not carried out to their full satisfaction and requested the Board to continue his client's application to the next meeting of the Board for a further examination to take place.

Mr Jarvie advised the Board that a further examination had been requested and undertaken albeit the details of the report were not as specific as the Board may have wished to assist members in their deliberations.

Decided:

- (a) that a further medical examination be undertaken;
- (b) that requests be made for the medical report to contain specific details and results of tests carried out;
- (c) that the Council's independent medical practitioner consult with Mr Smiley's own GP; and
- (d) continue the application to the next meeting of the Board.

684 Application for Taxi Operator Licence: Vehicle Specially Adapted for the Disabled: John Ian Ellis

684

There was submitted a report by the Head of Legal & Democratic Services on an application for renewal of Taxi Operator Licence by Mr Ellis. Mr Ellis was present at the start of the meeting and notified the Clerk that he had not received any documentation or notification of attending the meeting today and had been informed by another Operator that he was due to attend.

The Clerk, in consultation with the Chair agreed that the application may be continued to a further meeting of the Board and for the documentation to be re-issued to Mr Ellis.

Decided: that the application be continued to the next meeting of the Board.

685 Application for Taxi Driver's Licence: Arthur Cox**685**

There was submitted a report by the Head of Legal & Democratic Services on an application for the grant of a Taxi Driver's Licence by Mr Cox following a Police objection.

Mr Cox was not present or represented.

The Board agreed to consider Mr Cox's application in his absence.

The Board heard Sergeant Macdonald in support of the Police objection.

Decided: that the application be refused.

Sergeant Macdonald left the meeting after consideration of this item.

Councillor Clocherty declared an interest in the following item as he is a Board Member of Riverside Inverclyde who lodged an objection to the application and left the meeting. Councillor McColgan also declared an interest in the following item as a former Council employee and known to the applicant and left the meeting.

686 Application for Street Trader's Licence: Carla O'Neill and Derek Collins**686**

There was submitted a report by the Head of Legal & Democratic Services on the grant of a Street Trader's Licence by Ms O'Neill and Mr Collins to operate a moveable stall trading in hot and cold food and beverages situated at Pottery Street, Greenock between the hours of 8 am and 9 pm Monday to Sunday.

Mr Jarvie advised the Board that letters of objection had been received from Riverside Inverclyde and Mr and Mrs Davidson.

Ms O'Neill and Mr Collins were present. Mrs Davidson, objector was present.

The Board heard Mrs Davidson in support of her objection and Ms O'Neill and Mr Collins in support of their application.

Mrs Davidson provided a location map to the Board which Miss O'Neill and Mr Collins had sight of before being circulated to Members.

There followed a full discussion on the application.

Decided: that the application be refused by reasons of:

- (i) location and character of the premises/vehicle;
- (ii) public safety with regard to parking and road traffic related issues; and
- (iii) the regeneration aims in relation to economic development plans for the area.

Ms O'Neill requested a statement of reasons which was noted.