

GENERAL PURPOSES BOARD – 10 DECEMBER 2014

General Purposes BoardWednesday 10 December 2014 at 3.00pm

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

Chair: Councillor Dorrian presided.

In attendance: Mr F Jarvie (for Head of Legal & Property Services) and Inspector G Kirkwood, Sergeant G Fitzpatrick, Police Scotland.

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

778 Apologies, Substitutions and Declarations of Interest 778

Apologies for absence were intimated on behalf of Councillor Grieve.
There were no substitutions intimated.

Councillor Campbell-Sturgess declared a personal interest in Agenda Item 3 (Application for Taxi Driver's Licence – Gary Sinnamon). Councillor Dorrian declared a financial interest in Agenda Item 7 (Application for Taxi Driver's Licence – Mark Rodgers)

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.

779 Request for Suspension of Taxi Driver's Licence – Gary Sinnamon 779

There was submitted a report by the Head of Legal & Property Services requesting the Board to consider the suspension of Mr Sinnamon's Taxi Driver's Licence which expired on 31 October 2014 following a letter submitted by Police Scotland dated 7 November 2014.

Mr Sinnamon was present.

Mr Jarvie advised that Mr Sinnamon has applied for the renewal of his licence and as such is permitted to continue to drive until the renewal application is determined which forms the next item on the Agenda. Mr Jarvie explained that as events have moved on he asked the Board to note the terms of the Chief Superintendent's letter.

Decided: Noted.

780 Application for Taxi Driver's Licence – Gary Sinnamon 780

There was submitted a report by the Head of Legal & Property Services for the renewal of a Taxi Driver's Licence by Mr Sinnamon following a Police objection.

Mr Sinnamon was present.

Mr Jarvie advised that a letter from Mr Sinnamon in support of his application was received by the Licensing Section on 28 November 2014, a copy of which was circulated to Members.

The Board heard Inspector Kirkwood in support of the Police objection and Mr

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Sinnamon in support of his application. During Mr Sinnamon's submissions, he produced a letter of support from his employee, Mr Colin McConaghy which was passed to Members.

The Board then went into private discussion.

At the outset of the discussion, Councillor Campbell-Sturgess advised he had recently been a passenger in a taxi driven by Mr Sinnamon on two occasions. The Clerk immediately advised that any information the Councillor wished to proffer in this respect would have to be disclosed to Mr Sinnamon. The Councillor took the view that he should in fact disclose a personal interest and decided to leave the meeting in relation to this matter. Mr Sinnamon and Police Scotland representatives were invited back into the room and advised on what had occurred. Mr Sinnamon and Police Scotland representatives were then invited to leave the Chambers so that the private session may resume.

Following discussion and on return of all parties concerned, Councillor Jones moved refusal of the application, as an amendment Councillor Loughran moved grant of the application. On a vote, 3 Members voted for the amendment and 6 Members for the motion which was declared carried.

Decided: the application be refused.

Councillor Campbell-Sturgess returned to the meeting following this item.

781 Request for Suspension of General Hire Taxi Operator Licence – Hugh Dinning 781

There was submitted a report by the Head of Legal & Property Services requesting the Board to consider suspension of Mr Dinning's General Hire Taxi Operator Licence No. 65 following a letter submitted by Police Scotland dated 10 November 2014.

Mr Gallacher, Solicitor was present representing the applicant. Mr Dinning was in attendance.

Mr Jarvie advised the licence has been transferred to a new licence holder and in effect no licence is now held by Mr Dinning to consider and the item would not be called.

Decided: Noted.

782 Request for Suspension of Taxi Driver's Licence – Hugh Dinning 782

There was submitted a report by the Head of Legal & Property Services requesting the Board to consider suspension of Mr Dinning's Taxi Driver's Licence which expires on 31 August 2015 following a letter submitted by Police Scotland dated 10 November 2014.

Mr Gallacher, Solicitor was present representing the applicant. Mr Dinning was in attendance.

Mr Jarvie advised the Board on the background of the report.

The Board heard Inspector Kirkwood in support of the Chief Superintendent's letter and Mr Gallacher in support of maintaining the licence.

Decided: request for suspension be refused.

783 Application for Taxi Driver's Licence – Serge Lyubanets 783

There was submitted a report by the Head of Legal & Property Services for the grant of a Taxi Driver's Licence by Mr Lyubanets following a Police objection.

Mr Lyubanets was not present or represented.

The Board heard Inspector Kirkwood in support of the Police objection

Decided: the application be refused.

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Councillor Dorrian declared a financial interest in the following item as he is known to the applicant in a working capacity which precluded his continued presence in the Chamber and his participation in the decision making process. Councillor Dorrian vacated the Chair and left the meeting. Councillor Ahlfeld assumed the Chair.

784 Application for Taxi Driver's Licence – Mark Rodgers**784**

There was submitted a report by the Head of Legal & Property Services for the grant of a Taxi Driver's Licence by Mr Rodgers following a Police objection.

Mr Rodgers was present.

The Board heard Inspector Kirkwood in support of the Police objection and Mr Rodgers in support of his application.

Decided: the application be granted.