

GENERAL PURPOSES BOARD - 12 MARCH 2014

General Purposes Board

Wednesday 12 March 2014 at 3pm

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

Chair: Councillor Dorrian presided.

In attendance: Mr F Jarvie (for Head of Legal & Democratic Services) and Inspector I Wood, Police Scotland.

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

208 Apologies, Substitutions and Declarations of Interest 208

There were no apologies, substitutions or declarations intimated.

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.

209 Application for Taxi Driver's Licence: Frank Falconer 209

There was submitted a report by the Head of Legal & Democratic Services on the renewal of a Taxi Driver's Licence by Mr Falconer following a Police representation. Mr Jarvie advised the Board on the background of the application and intimated that Mr Falconer was unable to attend the meeting however his representative Cook, Stevenson & Co, Solicitors lodged written submissions on his behalf by letter dated 20 February. This letter was circulated to Members. The Board heard Inspector Wood in support of the Police representation.
Decided: the application be granted.

210 Application for Taxi Driver's Licences (x3): John McCafferty 210

There was submitted a report by the Head of Legal & Democratic Services to consider three applications for non-transferable General Hire Taxi Operator Licences for Wheelchair Accessible Vehicles by Mr McCafferty following a public objection. Mr McCafferty was present with his representative Mr Lamb, Maitlands, Solicitors. Inverclyde Taxis Ltd representative Mr Glasgow, objector was present with his representative Mr McEntagart, TLT, Solicitors. Mr Jarvie advised the Board on the background of the application and intimated a letter had been received dated 4 March 2014 from Maitlands together with a letter from Mr McCafferty received 28 February 2014. This documentation was circulated to all Members.

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Mr McEntagart addressed the Board on a preliminary matter that he had not had sight of the letters circulated.

The Chair moved that in fairness the Board consider this item at a later point in the meeting to allow Mr McEntagart and his client to view the papers submitted.

The Board unanimously agreed and the persons in attendance left the meeting.

211 Request for Suspension of Taxi Driver's Licence: Joseph McLaughlan

211

There was submitted a report by the Head of Legal & Democratic Services requesting the Board to consider the suspension of Mr McLaughlan's Taxi Driver's Licence which expires on 31 July 2014.

Mr McLaughlan was not present or represented.

Mr Jarvie advised the Board that following receipt of a letter dated 14 February 2014 from Police Scotland Mr McLaughlan's Taxi Driver's Licence had been immediately suspended on 21 February 2014 and requested the Board to uphold the decision of suspension and to continue consideration whether or not the suspension is extended as additional information from Police Scotland has been provided.

The Board heard Inspector Wood in support of the Police Scotland recommendations of their letter dated 14 February 2014.

Decided:

- (1) to uphold the immediate suspension; and
- (2) to continue consideration of any further suspension to the next meeting of the Board.

Inspector Wood left the meeting following consideration of this item as further items on the agenda involved no Police matters.

Mr Jarvie addressed the Board on the next items 5 and 6 and intimated that item 6 is no longer required as all the information is covered in item 5. The Board noted the position and agreed item 6 (Application for Taxi Driver's Licence - Allan Foreman) is contained in item 5.

212 Request for Suspension of Taxi Driver's Licence: Allan Foreman

212

There was submitted a report by the Head of Legal & Democratic Services requesting the Board to consider the suspension of Mr Foreman's Taxi Driver's Licence which expires on 31 October 2014.

Mr Foreman was not present or represented.

Mr Jarvie advised the Board that following receipt of a medical report by Regent Medical Practice dated 21 February 2014 Mr Foreman's Taxi Driver's Licence had been immediately suspended from 25 February 2014 and requests the Board to uphold the decision of suspension and to consider whether or not the suspension is continued.

Decided:

- (1) to uphold the immediate suspension; and
- (2) to continue the suspension for the unexpired portion of his licence to 31 October 2014.

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213 Application for Taxi Operator Licences (x3): John McCafferty**213**

The Board resumed consideration of this item and all attendees returned to the meeting. The Board heard Mr McEntagart in support of the objector and Mr Lamb in support of the applicant.

Mr McEntagart referred to a letter issued to Mr Glasgow by Legal & Democratic Services dated 28 January 2014. This letter was copied and circulated to the Board.

The Board heard further from Mr McEntagart and Mr Lamb.

There followed a full discussion after which Councillor Loughran moved grant of the applications which was seconded by Councillor Brennan. On a vote, 9 Members voted for the motion, 1 Member against the motion and 1 Member abstained. The Clerk confirmed the licences as granted.

Decided: the three applications be granted.