

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE
held in the COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD
on WEDNESDAY, 20 APRIL 2011**

Present: Councillor Daniel Kelly (Chair)

Councillor Gordon Chalmers	Councillor Donald MacMillan
Councillor Rory Colville	Councillor Roderick McCuish
Councillor Robin Currie	Councillor Alex McNaughton
Councillor Neil Mackay	Councillor James McQueen

Attending: Charles Reppke, Head of Governance and Law
Sheila MacFadyen, Governance and Law
Margaret MacLean, Governance and Law
Inspector MacLeish, Strathclyde Police
Mr William Reid, Applicant
Mr George Reid, Applicant's Agent

Apologies: Councillor Vivien Dance Councillor David Kinniburgh
Councillor Mary-Jean Devon Councillor Al Reay

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Dance, Devon, Kinniburgh and Reay.

2. DECLARATIONS OF INTEREST

There were no declarations of interest.

3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: APPLICATION FOR A GRANT OF ITINERANT METAL DEALER'S LICENCE: MR WILLIAM REID

The Chair invited all those present to introduce themselves and he then outlined the procedure that would be followed during the meeting.

Mr Reppke advised that a late objection had been submitted by Strathclyde Police and asked the Committee to consider whether they wanted to accept the late objection. Inspector MacLeish advised that this had been because of the need to consult with other Police areas, who had not responded in time. The Committee agreed to accept and hear the objection.

Applicant

Mr George Reid, on behalf of Mr William Reid, apologised for the fact that Mr William Reid had not had a licence and explained that this was because he did not realise there was a need for one. He explained that he had been informed of this by Strathclyde Police after they had stopped him and that he had gone straight to the Council Offices to apply for one as soon as he knew this. Mr George Reid explained that the applicant had been unable to operate for the

previous two months and that this had been and was his only source of income. He apologised again on the applicants behalf for not submitting the application.

Inspector MacLeish advised that she had no questions for the applicant.

Objector

Inspector MacLeish advised that the applicant had been found operating without a metal dealers licence and that there was a pending case to be brought to court. She advised that a licence could not be granted until the court case was concluded.

Mr George Reid advised that the applicant had received a letter from the Procurator Fiscal advising that there would be no further proceedings and asked the Police why they were objecting if there was no case.

The Committee adjourned to allow Inspector MacLeish to confirm with the Procurator Fiscal that there were no further court proceedings against the applicant.

After telephoning the Procurator Fiscal's office, Inspector MacLeish confirmed that there were no further court proceedings and withdrew the objection.

Questions

Councillor McCuish asked the Applicant to confirm his address and to confirm that should the licence be granted that there would be no scrap metal stored outside the property and that it would be removed at the end of each day. Mr George Reid confirmed that everything was stored in the van and that nothing would be stored outside the property.

Sum Up

Mr George Reid advised that he had no further comment.

Inspector MacLeish advised that she had no further comment.

The Chair asked both parties to confirm that they had received a fair hearing. They confirmed that this had been the case.

Debate

Councillor Currie noted that it had been unfortunate that this had been before the Committee only to result in the objection being withdrawn.

Mr Reppke advised Councillor Currie that this had been beyond the control of the Council and that the information had not been available at the time the Committee was called.

Decision

The Committee agreed to grant the Licence subject to conditions remitted to the Head of Governance and Law in consultation with the Chair and Vice Chair of

the Committee.

Mr Reid was advised that he would receive formal written notification that the Licence would be granted within 7 days from the Head of Governance and Law.

(Reference: Report by Head of Governance and Law dated April 2011, submitted. Letter of Objection from Strathclyde Police dated 22 March 2011, tabled)