

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE
held in the COUNCIL CHAMBER, KILMORY, LOCHGILPHEAD
on WEDNESDAY, 18 APRIL 2012**

Present: Councillor Roderick McCuish (Chair)

Councillor Rory Colville	Councillor Mary-Jean Devon
Councillor Gordon Chalmers	Councillor David Kinniburgh
Councillor Robin Currie	Councillor Bruce Marshall

Attending: Alison Younger, Central Governance Manager
Graeme Forrester, Solicitor
Mr Heron, Applicant
Inspector Armstrong, Strathclyde Police
Sergeant Stewart, Strathclyde Police

1. APOLOGIES FOR ABSENCE

Apologies for absence were intimated from Councillors Vivien Dance, Daniel Kelly, Neil Mackay, Donald MacMillan, Alex McNaughton and James McQueen.

2. DECLARATIONS OF INTEREST

None declared.

3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: APPLICATION FOR GRANT OF TAXI DRIVER'S LICENCE (R HERON, SANDBANK)

The Chair welcomed everyone to the Hearing and asked that participants introduce themselves. Thereafter he outlined the procedure that would be followed.

The Chair then invited the Applicant to speak in support of his application.

Applicant

Mr Heron referred to the application form and advised that he and his wife were not sure how to fill out the section regarding criminal convictions so he had left this blank. He confirmed that he had been interviewed by the Police regarding this omission and that the Police had accepted that there was no deception intended on the basis that the copy of the driving licence submitted with the application had clearly shown the offence. He advised that he was only guilty of not completing the application form properly and felt that this should have been made known to him and returned to him by licensing staff to rectify.

The Chair invited the Police to ask the Applicant questions and Inspector Armstrong advised that he had none.

The Chair then invited the Police to speak in support of their objection.

Police

Inspector Armstrong referred to the Applicant not declaring his previous conviction on the application form and confirmed that the Applicant's explanation for this had been accepted. He advised that the driving offence occurred nearly 4 years ago.

The Chair invited the Applicant to ask the Police questions and Mr Heron advised that he had none.

The Chair then invited Members to ask both the Applicant and Police questions.

Members' Questions

Councillor Colville asked what the nature of the offence was. Inspector Armstrong advised that the offence was for careless driving and that it was a minor misdemeanour.

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

Debate

Councillor Chalmers advised that as this was a relatively minor misdemeanour in the circumstances he was inclined to grant the licence.

Decision

It was unanimously agreed to grant a Taxi Driver's licence to Mr Heron.

(Reference: Report by Head of Governance and Law, submitted)