

## **REGULATORY PANEL.**

Minutes of meeting in County Buildings, Wellington Square, Ayr, on  
25th September 2014 at 10.00 a.m.

- Present: Councillors Peter Convery (Chair), Andy Campbell, Ian Cavana, Ian Douglas, Ann Galbraith, Sandra Goldie, William J. Grant and Hugh Hunter.
- Attending: M. Douglas, Team Leader (Licensing); D. Scobie, Licensing Monitoring Officer; and J. McClure, Committee Services Officer.
- In Attendance: Inspector W. Ramsay; and Sergeant D. McIntosh, Police Scotland.

### **1. Adjournment.**

The time being 10.00 a.m., the Panel agreed to adjourn for 30 minutes to allow Officers from Police Scotland to attend the meeting.

The meeting resumed at 10.30 a.m.

### **2. Chair's Remarks.**

The Chair, on behalf of the Panel, expressed his thanks to Inspector McMurdo, Police Scotland for the assistance he had given to this Panel and wished him well for the future.

### **3. Declarations of Interest.**

In terms of Council Standing Order No. 17 and the Councillors' Code of Conduct, Councillor Cavana declared an interest in item 5(a)(iii) as the applicant was known to him and he indicated that he would withdraw from the meeting during consideration of this application.

### **4. Minutes of previous meetings.**

The minutes of 28th August 2014 (issued) ([link attached](#)) were submitted and approved.

### **5. Civic Government (Scotland) Act 1982 - Licences.**

#### **(a) Taxi Drivers.**

- (i) The Panel heard the Team Leader (Licensing) advise that the applicant, Scott Mulveny was unable to attend this meeting due to ill health and had requested that consideration of his application be continued to a future meeting.

**Decided:** at the request of the applicant, to continue consideration of this application to a future meeting of this Panel to allow the applicant to attend.

- (ii) The Panel heard an objection from Police Scotland and from the applicant, Lee Alexander Hercus, in response.

**Decided:** to refuse this application on the grounds that, in terms of paragraph 5(3)(a)(ii) of Schedule 1 of the Civic Government (Scotland) Act 1982, in their opinion, the applicant was not a fit and proper person to be the holder of the licence.

**Councillor Cavana, having previously declared an interest in this application, left the meeting at this point.**

- (iii) The Panel considered the request from James McEwan for exemption from carrying wheelchair using passengers.

**Decided:** to approve the request from James McEwan for exemption from wheelchair work for the remaining term of his licence; to note that the Licensing Section would supply the licence holder with a letter outlining this exemption for the perusal of wheelchair using passengers; and, in light of the medical condition outlined in the GP's letter, to investigate the licence holder's suitability to drive a taxi.

**At this point Councillor Cavana rejoined the meeting.**

- (iv) The Panel heard an observation from Police Scotland and considered the application from Steven Woods.

**Decided:** in the absence of the applicant, to approve this application for three years, subject to standard conditions as previously agreed.

- (v) The Panel heard an observation from Police Scotland and from the applicant, Ian Bryden, in response.

Councillor Douglas, seconded by Councillor Grant, moved that this application be approved for three years.

By way of Amendment, Councillor Hunter moved that the application be approved for one year. Councillor Hunter failed to find a seconder and his amendment fell.

**Decided:** by a majority, to approve this application for three years, subject to standard conditions as previously agreed.

- (vi) The Panel heard an observation from Police Scotland and from the applicant, Ian Downie MacDonald, in response.

Councillor Campbell, seconded by Councillor Goldie, moved that this application be approved for three years.

By way of Amendment, Councillor Hunter moved that this application be approved for one year. Councillor Hunter failed to find a seconder and his Amendment fell.

**Decided:** by a majority, to approve this application for three years, subject to standard conditions as previously agreed.

(b) **Private Hire Vehicles.**

The Panel considered the proposed suspension of licence numbers 12/00626/PHVL and 13/00712/PHVL held by James Thomas Murphy and heard from the Team Leader (Licensing) that the plates for licence number 12/00626/PHVL had been returned.

**Decided:** to agree to suspend licence number 13/00712/PHVL held by James Thomas Murphy with immediate effect for its unexpired portion as he had failed to present his car for annual inspection in terms of Condition 3 of the Private Hire Vehicle Licence (inspection due by 31st August 2014).

(c) **Street Trader.**

**Richard Alexander Maxwell for Lay-By A78 By Pass Prestwick to Irvine Road for Sale of Hot and Cold Food and Drinks.**

The Panel heard an observation from Police Scotland and from the applicant in response.

**Decided:** to grant this application, the approved hours being every Monday to Saturday inclusive from 7.00 a.m. to 3.00 p.m., subject to standard conditions.

The meeting ended at 11.15 a.m.