

**REGULATORY PANEL.**

Minutes of meeting in County Buildings, Wellington Square, Ayr, on  
3rd November 2016 at 10.00 a.m.

Present: Councillors Peter Convery (Chair), Andy Campbell, Ian Cavana, Ian Douglas, Ann Galbraith, William J. Grant and Hugh Hunter.

Apology: Councillor Sandra Goldie.

Attending: M. Douglas, Team Leader (Licensing); K. Briggs, Legal and Licensing Manager; D. Scobie, Licensing Monitoring Officer; J. McClure, Committee Services Lead Officer; and Inspector A. Kelly and Sergeant G. Griffiths, Police Scotland.

**1. Declarations of Interest.**

There were no declarations of interest by Members of the Panel in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct.

**2. Minutes of previous meetings.**

The minutes of 22nd September 2016 (issued) were submitted and approved.

**3. Civic Government (Scotland) Act 1982 - Licences.**

**(a) Taxi Drivers.**

- (i) The Panel heard an observation from Police Scotland, from the Licensing Standards Officer and from the applicant, Edward John Munro, in response.

Councillor Grant, seconded by Councillor Campbell, moved that this application be approved for one year.

By way of Amendment, Councillor Hunter, moved that this application be refused, on the grounds that, in terms of paragraph 5(3)(a)(ii) of Schedule 1 of the Civic Government (Scotland) Act 1982, in his opinion, the applicant was not a fit and proper person to be the holder of the licence. Councillor Hunter failed to find a seconder and subsequently, his Amendment fell.

**Decided:** to approve this application for one year, subject to standard conditions as previously agreed and subject to the applicant submitting a valid medical report confirming his fitness to drive (Councillor Hunter dissenting).

- (ii) The Panel heard an observation from Police Scotland and from the applicant, Robert James Blackmore, in response.

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

By way of Amendment, Councillor Hunter, seconded by Councillor Grant, moved that this application be approved for one year.

On a vote being taken by a show of hands, four Members voted for the Amendment and three for the Motion. The Amendment was accordingly declared carried.

**Decided:** to approve this application for one year, subject to standard conditions as previously agreed.

- (iii) The Panel heard an observation from Police Scotland and from the applicant, Alexander David Aitken, in response.

**Decided:** to approve this application for one year, subject to standard conditions as previously agreed.

- (iv) The Panel heard from Police Scotland in relation to the proposed suspension of the licence currently held by David Riddell.

Councillor Douglas, seconded by Councillor Cavana, moved that the licence not be suspended and that the matter be continued to a future meeting of this Panel for the outcome of the criminal proceedings to be known.

By way of Amendment, Councillor Hunter moved that the licence be suspended with immediate effect and the matter continued to a future meeting of this Panel for the outcome of the criminal proceedings to be known. As Councillor Hunter failed to find a seconder, his Amendment subsequently fell.

**Decided:** in the absence of the applicant, not to suspend the licence currently held by David Riddell and to continue consideration of this matter until the outcome of the criminal proceedings was known (Councillor Hunter dissenting).

- (v) The Panel heard from the applicant, Steven Allan Masterton, in relation to his application.

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

**(b) Private Hire Driver.**

Reference was made to the Minutes of 25th August 2016 (Page 4, paragraph 5(b)(ii)) when the Panel decided to continue consideration of this application to this meeting for the outcome of the criminal proceedings to be known and the Panel heard from Police Scotland who advised that the court proceedings had not yet taken place and from the Team Leader (Licensing) who outlined that this application required to be considered at this meeting due to statutory time limits. The Panel then heard an observation from Police Scotland and from the applicant, George Campbell Kiltie, in relation to his application.

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

By way of Amendment, Councillor Hunter, moved that this application be refused, on the grounds that, in terms of paragraph 5(3)(a)(ii) of Schedule 1 of the Civic Government (Scotland) Act 1982, in his opinion, the applicant was not a fit and proper person to be the holder of the licence. Councillor Hunter failed to find a seconder and subsequently, his Amendment fell.

**Decided:** to approve this application for three years, subject to standard conditions (Councillor Hunter dissenting).

(c) **Private Hire Vehicle.**

The Panel considered the proposed suspension of the licence currently held by Steven Dorans as he had failed to present the car for Annual Inspection.

**Decided:** having heard the Team Leader (Licensing) advise that the licence holder had now surrendered his licence, to take no further action.

(d) **Booking Office.**

**John Kelly t/a Ayr Premier Taxis Limited.**

The Panel considered the letters of objection and heard from the applicant in relation to this application and from Councillor Douglas Campbell representing one of the objectors.

**Decided:** to approve this application for one year, subject to standard conditions as previously agreed.

(e) **Street Trader.**

**Timothy Mark Pilling for Sale of Morning Rolls, Tea, Coffee, Soft Drinks, Sweets, Crisps and Cakes at Boundary Road/Callander Road, Heathfield Industrial Estate, Ayr.**

The Panel considered a letter submitted by the applicant and heard an objection from Police Scotland and from the applicant in response.

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

By way of Amendment, Councillor Hunter, seconded by Councillor Grant, moved that the application be approved for one year.

On a vote being taken by a show of hands, two Members voted for the Amendment and four for the Motion which was accordingly declared carried.

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

The meeting ended at 11.20 a.m.