

**REGULATORY PANEL.**

Minutes of meeting in County Buildings and remote on  
26 November 2020 at 10.00 a.m.

Present: Councillor Brian Connolly (Chair).

Present Remotely: Councillors Andy Campbell, Iain Campbell, Ian Cavana, Alec Clark, Ian Fitzsimmons, Mary Kilpatrick, Craig Mackay and Margaret Toner (for item 8(a) only due to connectivity issues).

Attending: D. Scobie, Civic Licensing Standards Officer; J. McClure, Committee Services Lead Officer; and K. Hancox, Committee Services.

Attending Remotely: M. Douglas, Team Leader (Licensing); R. Hannah, Fleet Officer, Fleet Management; and M. Wright, Fleet Inspector, Fleet Management.

**1. Chair's Remarks.**

The Chair took the sederunt and confirmed that today's meeting was not open to the press and public, which was permissible under the COVID-19 legislation. He also confirmed to Members the procedures to conduct this meeting.

**2. Declarations of Interest.**

Councillor Cavana declared an interest in item 6(a) of this minute as the applicant and his family were known to him.

**3. Minutes of previous meeting.**

The [minutes](#) of 29 October 2020 (issued) were submitted and approved.

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

**(a) Taxi Drivers.**

(i) The Panel considered the application from Manvir Singh

**Decided:** in the absence of the applicant, to continue this application to a future meeting of this Panel to allow the applicant to attend.

(ii) The Panel heard a representation from Police Scotland and from the applicant, William Crossan, in response.

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

**(b) Private Hire Driver.**

The Team Leader (Licensing) updated the Panel in relation to the application from James McCutcheon and advised that Police Scotland had now withdrawn its representation.

**Decided:** to note that the application from James McCutcheon would now be granted under delegated powers, when right to work checks had been completed.

**(c) Taxi Vehicle Licences.**

- (i) The Panel heard from the Civic Licensing Standards Officer and the Fleet Officer in relation to the proposed suspension of the licence held by Gordon Beattie (19/00195/HCVL : Vehicle Registration MK17 MVB: Plate Number 30) and from the licence holder's representative in response; and considered the written submissions from Mr Beattie.

**Decided:** not to suspend the above licence held by Gordon Beattie, however, to request that the Service Lead – Legal and Licensing issue a letter reinforcing that the licence holder should be undertaking regular checks of his vehicle; and that any further failures would be brought to the attention of the Panel.

- (ii) The Panel heard from the Civic Licensing Standards Officer and the Fleet Officer in relation to the proposed suspension of the licence held by Graeme Wark (19/00769/HCVL : Vehicle Registration SD63 DMU: Plate Number 125); from the licence holder in response and considered the written submissions from Mr. Wark.

**Decided:** not to suspend the above licence held by Graeme Wark, however, to request that the Service Lead – Legal and Licensing issue a letter reinforcing that the licence holder should be undertaking regular checks of his vehicle and that any further failures would be brought to the attention of the Panel.

- (iii) The Panel heard from the Civic Licensing Standards Officer and the Fleet Officer in relation to the proposed suspension of the five licences held by Peter Ogilvie (19/00882/HCVL : Vehicle Registration MA66 XUC: Plate Number 144; 17/00971 : Vehicle Registration SF14 BBJ: Plate Number 138; 18/01009/HCVL: Vehicle Registration SF13 JOH: Plate Number 97; 18/00846/HCVL : Vehicle Registration MA66 XUN : Plate Number 116; and 19/00146/HCVL : Vehicle Registration MK18 VBN : Plate Number 80); and considered written submissions from the licence holder.

**Decided:** in the absence of the licence holder, not to suspend the above licences held by Peter Ogilvie, however, to request that the Service Lead – Legal and Licensing issue a letter reinforcing that the licence holder should be undertaking regular checks of his vehicles and that any further failures would be brought to the attention of the Panel.

- (iv) The Panel heard from the Civic Licensing Standards Officer and the Fleet Officer in relation to the proposed suspension of the licence held by Stephen Bletsoe (19/00526/HCVL : Vehicle Registration SF16 EDL: Plate Number 89); and from the licence holder in response.

**Decided:** not to suspend the above licence held by Stephen Bletsoe, however, to agree that this vehicle should be inspected bi-annually for a period of one year; and any further failures to be brought to the attention of the Panel.

## **5. Variation in Order of Business.**

In terms of Council Standing Order No. 13(2), the Panel agreed to vary the order of business as hereinafter minuted.

**Having previously declared an interest in this item, Councillor Cavana left the meeting during consideration of this application.**

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

### **(a) Private Hire Vehicle Licence.**

The Panel heard from the Civic Licensing Standards Officer and Fleet Officer in relation to the proposed suspension of the licence held by John Paul Cahill (18/00712/PHVL : Vehicle Registration PY15 KKH: Plate Number 165), viewed video footage; heard from the licence holder in response; and considered written submissions from the licence holder.

**Decided:** not to suspend the above licence held by John Paul Cahill, however, to request that the Service Lead – Legal and Licensing issue a letter reinforcing that the licence holder should be undertaking regular checks of his vehicle; and that any further failures would be brought to the attention of the Panel.

**Councillor Cavana re-joined the meeting.**

**Councillor Mackay left the meeting at this point.**

### **(b) Taxi Vehicle Licences.**

The Panel heard from the Civic Licensing Standards Officer and the Fleet Officer in relation to the proposed suspension of the five licences held by David McKee (19/00032/HCVL : Vehicle Registration MT14 KMF: Plate Number 156; 18/00859 : Vehicle Registration SF65 BZD: Plate Number 61; 18/00638/HCVL: Vehicle Registration SF15 GHJ: Plate Number 20; 18/01098/HCVL : Vehicle Registration SF16 DTU : Plate Number 44; and 18/00187/HCVL : Vehicle Registration SF15 CXA : Plate Number 5) and heard from the licence holder in response; and considered the written submissions from Mr McKee.

**Decided:** not to suspend the above licences held by David McKee, however, to agree that all of his vehicles should be inspected bi-annually for a period of one year and any further failures to be brought to the attention of the Panel.

**Adjournment**

The time being 12.40 p.m. the Panel agreed to adjourn for 10 minutes.

The Panel resumed at 12.50 p.m.

**7. Exclusion of press and public.**

The Panel resolved, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the press and public be excluded from the remaining item of business on the agenda, on the grounds that it involved the likely disclosure of exempt information in terms of paragraph 6 of Part 1 of Schedule 7A of the Act.

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

**(a) Taxi Driver.**

The Panel heard from Police Scotland and the Team Leader (Licensing) and considered the proposed suspension of the licence held by Paul McDonald.

**Decided:** to suspend the Taxi Driver Licence held by Paul McDonald with immediate effect for a period of six weeks or until a hearing under paragraph 11 of the Act, whichever shall be earlier.

The meeting ended at 1.00 p.m.