

REGULATORY PANEL.

Minutes of a remote meeting of
27 May 2021 at 10.00 a.m.

Present: Councillors Brian Connolly (Chair), Andy Campbell, Iain Campbell, Ian Cavana, Ian Fitzsimmons, Mary Kilpatrick, Craig Mackay and Margaret Toner.

Apology: Councillor Alec Clark.

Attending: M. Douglas, Team Leader (Licensing); R. Hannah, Fleet Officer; M. Wright, Fleet Inspector; D. Scobie, Civic Licensing Standards Officer; and A. Gibson, Committee Services Officer.

Also

Attending: Inspector I. McColl, Police Scotland.

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 and that this meeting was being recorded for minuting purposes only.

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 meeting.

The minutes of 29 April 2021 (issued) were submitted and approved.

3. Update from Civic Licensing Standards Officer.

It was confirmed that, at this present time, there was no update to be made by the Civic Licensing Standards Officer.

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

Reference was made to the Minutes of 29 April 2021 (Page 2, paragraph (c)) when the Panel decided to suspend the Taxi Driver Licence held by James McGough with immediate effect for a period of six weeks or until a hearing under paragraph 11 of the Act, whichever shall be earlier; and the Panel now heard from Police Scotland in relation to the suspension of the licence held by him.

Decided: to suspend the licence previously held by James McGough with immediate effect for its unexpired duration under paragraph 11(2)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982, namely that the holder of the licence is no longer a fit and proper person to hold the licence.

(b) Taxi Vehicle.

Reference was made to the Minutes of 29 April 2021 (Page 2, paragraph 5(b)) when the Panel decided to continue consideration of this matter to this meeting to allow the applicant to attend; and the Panel now heard from the Civic Licensing Standards Officer and the Fleet Officer and from the licence holder, Samuel Prow, in response in relation to the proposed suspension of licence number 19/00814//HCVL, Registration SF11 EDL – Plate 100.

The Panel adjourned for consideration of this matter.

Having reconvened, the Panel

Decided: not to suspend the above licence held by Samuel Prow, however, to amend the terms of the licence to require that that a Taxi Test was undertaken on his vehicle every three months for the duration of the taxi vehicle licence; that he retains a full service history of works undertaken on his vehicle; and that should there be a Taxi Test failure, the matter be raised again with this Panel, when it would be likely that the taxi licence be suspended with immediate effect.

(c) Private Hire Vehicle.

The Panel heard from the Civic Licensing Standards Officer and the Fleet Officer and from the licence holder, Robert Carty, in response in relation to the proposed suspension of licence numbers 19/00469/PHVL, YD67 YFB, Plate 166; 18/00878/PHVL, PN67 BCF, Plate 57; and 18/00631/PHVL, KU64 NNE, Plate 148.

Decided: not to suspend the above licences held by Robert Carty and to take no further action.

(d) Street Trader.

The Panel considered the application from Scott Maxwell.

Decided: to continue consideration of this application to allow further information to be sought.

The meeting ended at 11.00 a.m.