

**REGULATORY PANEL.**

Minutes of a remote webcast meeting of  
28 October 2021 at 10.00 a.m.

- Present: Councillors Brian Connolly (Chair), Iain Campbell, Ian Cavana, Alec Clark, Ian Fitzsimmons, Mary Kilpatrick, Craig Mackay and Brian McGinley.
- Apology: Councillor Margaret Toner (due to connectivity issues).
- Attending: K. Briggs, Service Lead – Legal and Licensing; M. Douglas, Team Leader (Licensing); M. Wright, Fleet Inspector; D. Scobie, Civic Licensing Standards Officer; and J. McClure, Committee Services Lead Officer.
- In Attendance: Sergeant S. Syme, Police Scotland.

**Chair's Remarks.**

The Chair took the sederunt, confirmed to Members the procedures to conduct this meeting and advised that the meeting was being broadcast live.

**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 23 September 2021 (issued) were submitted and approved.

**3. Update from Civic Licensing Standards Officer.**

The Civic Licensing Standards Officer

- (1) outlined the failure statistics for Taxis and Private Hire Vehicles for the third quarter of 2021 (1 July to 30 September), compared to the same period in 2020, however, due to the pandemic and testing resuming on 18 May 2020, the figures were not an accurate comparison:-
  - (a) 5% failure rate for the thirty nine Taxi Vehicles tested and two vehicles which failed; compared to 18% in 2020 when fifty five Taxi Vehicles were tested and ten failed; and
  - (b) an 18% failure rate for the fifty one Private Hire Vehicles tested and nine failures as opposed to 15% last year when seventy one vehicles were tested and fifteen failed;
- (2) advised that all operators would continue to be monitored and, if necessary, brought before the Panel; and
- (3) detailed the reasons for the vehicles failing the test.

Various questions were raised by Members and the Panel

**Decided:** to note the update from the Civic Licensing Standards Officer.

### **Adjournment**

The time being 10.20 a.m. the Panel agreed to adjourn the meeting for 15 minutes to allow those applicants experiencing connectivity difficulties to join the meeting.

### **Resumption of Meeting**

The meeting resumed at 10.35 a.m.

#### **4. 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 items of business on the agenda, on the grounds that they involved the likely disclosure of exempt information in terms of paragraph 6 of Part 1 of Schedule 7A of the Act.

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

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

- (i) Reference was made to the Minutes of 23 September 2021 (Page 2, paragraph 4(a)(ii)), when the Panel had decided, in the absence of the applicant, to continue consideration of this application to this meeting to allow the applicant to attend. The Panel heard an observation from Police Scotland and from the applicant in response.

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

##### **Councillor Clark left the meeting at this point.**

- (ii) The Panel heard an observation from Police Scotland and from the applicant, Patrick Welsh, in response.

**Decided:** to continue consideration of this application to a future meeting of this Panel to allow information to be sought from the Procurator Fiscal and, if necessary, also from Police Scotland.

(b) **Private Hire Car Driver.**

Reference was made to the Minutes of 23 September 2021 (Page 3, paragraph 4(c)) when the Panel had decided to suspend the Taxi Driver Licence held by Graham Wilson 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 considered this matter in the absence of Mr Wilson.

**Decided:** to suspend the licence previously held by Graham Wilson 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 licence holder is no longer a fit and proper person to hold the licence.

The meeting ended at 11.30 a.m.