

REGULATORY PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr, on
16th March 2017 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: 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 16th February 2017 (issued) were submitted and approved.

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

- (i) The Panel heard an observation from Police Scotland and from the applicant, Thomas Greenall, in response.

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

- (ii) The Panel heard an observation from Police Scotland and from the applicant, Jacek Rostankowski, in response and considered letters submitted by the applicant.

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

By way of Amendment, Councillor Hunter moved that this application be refused but failed to find a seconder and subsequently his Amendment fell.

Decided: (Councillor Hunter dissenting), to grant delegated authority to the Clerk to approve this application for one year, subject to standard conditions as previously agreed and subject to a satisfactory Certificate of Good Conduct being obtained by the applicant from the Polish Consulate in Scotland and produced to the Clerk.

- (iii) The Panel heard an observation from Police Scotland who also referred to convictions regarded as 'protected' in terms of the Rehabilitation of Offenders Act 1974 (Exclusions and Exceptions) (Scotland) Amended Order 2015 and requested that the Panel consider these convictions. Following discussion the Panel agreed to consider these convictions as it accepted that justice could not be done except by having full information before it and, thereafter, it was agreed to consider a written copy.

The Police letter outlining the 'protected' convictions was then circulated and the Panel heard from Police Scotland in relation to this and from the applicant, Andrew Leslie Mauchlen, in response.

Councillor Hunter, seconded by Councillor Cavana, moved that this application be approved for one year.

By way of Amendment, Councillor Grant, seconded by Councillor Douglas, moved that the application be granted for three years.

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

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

(b) Private Hire Driver.

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

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

The meeting ended at 10.45 a.m.