

**REGULATORY PANEL.**

Minutes of meeting in County Buildings, Wellington Square, Ayr, on  
25th October 2017 at 10.00 a.m.

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

Apology: Councillor Andy Campbell.

Attending: M. Douglas, Team Leader (Licensing); K. Briggs, Legal and Licensing Manager; D. Scobie, Licensing Monitoring Officer; R. Hannah, Acting Fleet Supervisor (Fleet Management); and J. McClure, Committee Services Lead Officer; and Inspector J. Hamilton and Constable A. Kerr, 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 meeting.**

The minutes of 21st September 2017 (issued) were submitted and approved.

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

**Taxi Drivers.**

(i) The Panel considered the application from Jay Davidson.

**Decided:** in the absence of the applicant, to continue consideration of this application to the next meeting of this Panel scheduled to be held on Thursday, 30th November 2017.

(ii) The Panel heard an observation from Police Scotland and from the applicant, William Prendergast in response.

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

(iii) The Panel considered the application from Patrick O'Donnell.

**Decided:** in the absence of the applicant, to continue consideration of this application to the next meeting of this Panel scheduled to be held on Thursday, 30th November 2017.

**4. 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.

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

### (a) Taxi Drivers.

The Panel considered the proposed suspension of various licences.

#### Decided:

- (i) to agree to suspend the licences held by the following for their unexpired portions as they had failed to undertake training as per the licences issued to them and to grant delegated powers to the Legal and Licensing Manager to reinstate these licences once proof of completion of the training course had been exhibited:-

John Pollock;  
 Vincent Gilligan;  
 Russell George Cowan;  
 Stuart McCreadie;  
 Laurindo Rodrigues;  
 Thomas Greenall;  
 Andrew Philip McIntee; and  
 Matthew James Richmond Davey;

- (ii) having heard the Team Leader (Licensing) advise that Kevin McGinley had now surrendered his licence, to take no further action in relation to this licence holder;
- (iii) having heard the Team Leader advise that Brian Rodger and Jason Spiers had now returned their ID badge, to suspend their licences for their unexpired portion as they had failed to undertake the training as per the licences issued to them and to grant delegated powers to the Legal and Licensing Manager to reinstate these licences once proof of completion of the training course had been exhibited; and
- (iv) having heard the Team Leader (Licensing) advise that Michael Matthew Kelly and Barry John Harkness had now completed the training course, to take no further action in relation to these licence holders.

### (b) Taxi Vehicle Licence.

- (i) The Panel considered the proposed suspension of the licences held by Thomas Lindores (16/00122/HCVL – plate 21, 16/00123/HCVL – plate 22 and 16/00819/HCVL – plate 147).

Having heard from the Licensing Monitoring Officer, the Acting Fleet Supervisor and the applicant's representative in response, the Panel adjourned for consideration of this matter.

Decided: upon reconvening, not to suspend the three licences held by Thomas Lindores, subject to the following conditions:-

- (A) all three vehicles must be re-tested at the Council's test centre within the next seven days;
- (B) all three vehicles must now be tested on a four monthly cycle and the results provided to the Licensing Service;

(C) that if any of these vehicles failed the four monthly test, that vehicle licence would be suspended with immediate effect and thereafter all licences brought before the Regulatory Panel for further consideration.

(ii) The Panel heard from the Licensing Monitoring Officer, the Acting Fleet Supervisor and from the representative for the applicant, Thomas Lindores in relation to his application.

**Decided:** to approve this application for three years, subject to standard conditions as previously agreed and subject to conditions (B) and (C) above.

**(c) Private Hire Drivers.**

The Panel considered the proposed suspension of three licences.

**Decided:**

(i) to agree to suspend the licence held by James Greenway for its unexpired portion as he had failed to undertake training as per the licence issued to him; and to grant delegated powers to the Legal and Licensing Manager to reinstate this licence once proof of completion of the training course had been exhibited;

(ii) to continue consideration of the proposed suspension of Steven Mitchell's licence to a future meeting of this Panel to allow further information to be sought; and

(iii) having heard Anthony Morrison advise that he was booked on the next available training course, to suspend his licence for its unexpired portion; and to grant delegated powers to the Legal and Licensing Manager to reinstate his licence once proof of completion of the training course had been exhibited.

**(d) Second Hand Dealer.**

**Irepair Ayr Limited and Ammar Alim for premises at 219 High Street, Ayr, KA7 1RB.**

The Panel heard from Police Scotland and from the Team Leader (Licensing) who read out an e-mail from the applicant requesting that the application be considered in his absence.

**Decided:** to approve this application, the approved hours being Monday to Sunday inclusive from 9.00 a.m. to 6.00 p.m., subject to standard conditions as previously agreed.

**6. 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 item 7 of this Minute, 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.

## 7. Civic Government (Scotland) Act 1982 - Licences.

### Taxi Drivers.

The Panel heard an observation from Police Scotland, from the applicant, Stewart Campbell in response and considered letters submitted in support of the applicant.

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

## 8. Setting Metered Taxi Fares.

Reference was made to the Minutes of 17th August 2017 (Page 1, paragraph 3) when it had been agreed

- (1) to approve the proposed maximum fares; and
- (2) to advertise the proposed fare structure in the local press to allow interested parties to make representation in terms of Section 17 of the Civic Government (Scotland) Act 1982 and to request a further report to a future meeting of this Panel following publication of the proposed fares,

there was submitted a report (issued) of 12th October 2017 by the Executive Director – Resources, Governance and Organisation

- (a) seeking approval to set the metered fares for taxis and private hire vehicles; and
- (b) advising that the appropriate advertisement had been placed in the local press inviting representations on the proposals, however, no representations had been received.

### **Decided:**

- (i) to approve the metered fares for taxi and private hire vehicles, with effect from 14th November 2017, as follows:-

<u>Unit</u>	<u>Charge</u>
Distance not exceeding 1180 yards or for a time not exceeding 4 minutes 40 seconds	£2.90
Each additional 80 yards or 24 seconds	£0.10
Night-time charge per hire (midnight to 6 a.m.)	£1.00
Each completed period of 48 seconds	£0.20
Fouling charge	£60.00
6/7/8 seater vehicles - where 6, 7 or 8 passengers are carried, an enhanced charge; and	X1.5 metered fare
Christmas and New Year (from 9.00 p.m. on 24th December to 6.00 a.m. on 27th December and from 9.00 p.m. on 31st December to 6.00 a.m. on 3rd January) ; and	X1.5 metered fare

- (ii) that the fares for the shared hire of metered vehicles and all other charges in connection with the shared hire of metered vehicles, or with the arrangements for their shared hire, should not be greater than those above.

The meeting ended at 11.40 a.m.