

REGULATORY PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr, on
15th March 2018 at 10.00 a.m.

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

Attending: M. Douglas, Team Leader (Licensing); R. Hannah, Acting Fleet Supervisor; D. Scobie, Civic Government Licensing Standards Officer; and J. McClure, Committee Services Lead Officer; and Sergeant D. Dougan and V. Thomson, 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 15th February 2018 (issued) were submitted and approved.

3. Update by Civic Government Licensing Standards Officer.

The Civic Government Licensing Standards Officer advised

- (1) that she was continuing to carry out a rolling programme of visual inspections with colleagues from Fleet Management on Private Hire Vehicles;
- (2) that, of the thirty six vehicles inspected since the last Panel meeting, eight notices had been issued to vehicle owners for non-compliance; and
- (3) that further inspection dates had been arranged and all private hire vehicles in South Ayrshire would be inspected in the next few months.

Following questions from Panel Members, the Team Leader (Licensing) confirmed that should a vehicle be considered not roadworthy, a suspension notice could be issued on the vehicle to ensure that it was not operating.

Decided: having outlined its concerns at the number of notices issued, the Panel noted the work of the Civic Government Licensing Standards Officer.

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

(a) **Taxi Drivers.**

- (i) The Panel heard a representation from Police Scotland and from the applicant, Colin David Elgey, in response.

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

- (ii) The Panel considered the application from Anthony Mwang'Ombe Mwaighonda.

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, 26th April 2018.

- (iii) The Panel considered the application from Steven Scott Oliver.

Decided: in the absence of the applicant and at the request of Police Scotland, to continue consideration of this application to the next meeting of this Panel scheduled to be held on Thursday, 26th April 2018.

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.

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

(a) **Taxi Drivers.**

The Panel considered the proposed suspension of two licences.

Decided: 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:-

Michael Allan; and
John McNair Sharkey.

(b) **Private Hire Driver.**

- (i) The Panel heard a representation from Police Scotland and from the applicant, Allan Richardson, in response.

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

- (ii) The Panel considered the proposed suspension of a licence.

Decided: to agree to suspend the licence held by Brian Crook 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.

(c) Taxi Vehicle Licences and Private Hire Vehicle Licences.

The Panel considered the proposed suspension of the licences held by Catherine Marie Wilkie, namely Taxi Vehicle Licences (16/00771/HCVL, 16/00979/HCVL, 16/01123/HCVL and 17/00403/HCVL) and the Private Hire Vehicle Licences (16/00768/PHVL, 16/00976/PHVL, 16/00977/PHVL, 16/01182/PHVL, 17/00217/PHVL, 17/00892/PHVL, 17/00940/PHVL, 17/00941/PHVL, 17/00945/PHVL and 17/01074/PHVL).

The Panel heard from the Civic Government Licensing Standards Officer, the Acting Fleet Manager and from the representative for the licence holder and considered submissions from the licence holder's representative.

Decided:

- (1) not to suspend the licences held by Catherine Marie Wilkie; and
- (2) that the licences for the fourteen vehicles should be varied so that each vehicle is tested six monthly, commencing six months from the date of the last test, for a period one year.

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 considered the proposed suspension of the licence held by Peter George Hunter.

Decided: having heard from the Team Leader (Licensing) that Mr. Hunter had submitted a letter advising that he was unable to attend this meeting due to previous commitments, to agree to suspend his licence 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, subject to the licence holder supplying a medical report outlining his fitness to undertake his duties.

The meeting ended at 11.15 a.m.