

REGULATORY PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr, on
23rd August 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); K. Briggs, Service Lead - Legal and Licensing; D. Scobie, Civic Licensing Standards Officer; and J. McClure, Committee Services Lead Officer.

Also Attending: Sergeant D. Dougan and E. Blackwood, 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 June 2018 (issued) were submitted and approved.

3. Update from Civic Licensing Standards Officer.

The Licensing Monitoring Officer advised

- (1) that the failure statistics for Taxis and Private Hire Vehicles for the second quarter of 2018 compared to the same period in 2017 were as follows:-
 - (a) 10% failure rate for Taxi Vehicles as opposed to 30% last year;
 - (b) a 5% failure rate for Private Hire Vehicles as opposed to 19% last year;
- (2) that this was a decrease in failure rates which was very pleasing;
- (3) that she would continue to monitor the operators of those vehicles which had failed; and
- (4) that following the inspection of Private Hire Vehicles, in conjunction with Fleet Management, inspections of Taxi Vehicles would commence in September 2018 and the results of these inspections would be reported to a future meeting of this Panel.

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

(a) **Taxi Drivers.**

- (i) The Panel heard from the applicant, Peter Batton McNair in relation to his application.

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

- (ii) The Panel considered a letter of support, heard a representation from Police Scotland and heard from the applicant, Gordon Graham in relation to his application.

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

- (iii) The Panel heard a representation from Police Scotland and from the applicant, Andy Greenfield, in response.

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

- (iv) The Panel heard a representation from Police Scotland and from the applicant, John Charles Stewart, in response.

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

- (v) The Panel heard a representation from Police Scotland, from the Civic Licensing Standards Officer and considered the proposed suspension of the licence currently held by David William Ganson.

Decided: not to suspend the licence currently held by David William Ganson and to take no further action.

- (vi) The Panel considered the proposed suspension of various 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 Service Lead - Legal and Licensing to reinstate these licences once proof of completion of the training course had been exhibited:-

Stephen Connell Dalzell;
Andrew Barclay Govan;
Scott Alexander Blair;
Colin Hendrie; and
Peter Divers.

(b) Private Hire Vehicle.

The Panel considered the proposed suspension of various licences held by Alastair Taylor.

The Panel heard from the Civic Licensing Standards Officer and from the licence holder's representative and, following questions, the Panel adjourned for consideration of this matter.

Decided: upon reconvening, not to suspend the licences held by Alastair Taylor, however, the following vehicles should be tested within four months of today's meeting and thereafter, tested at four monthly intervals for a period of twelve months:-

16/00271/PHVL – NU67 0UM – Plate 45;
 17/01129/PHVL – PY65 KBF – Plate 59;
 17/00909/PHVL – BN65 XGY – Plate 62;
 15/01073/PHVL – PY65 CSV – Plate 64;
 16/01179/PHVL – OU16 VSD – Plate 131;
 15/00413/PHVL – PY67 CGX – Plate 144; and
 17/01039/PHVL – NU67 XST – Plate 179.

(c) Street Trader.

Aaron Westley McIndoe for Ice Cream Van at Belleisle Park, Rozelle Park and Grangemuir Road Car Park, Prestwick Seafront.

The Panel heard an objection from Police Scotland and from the applicant in response.

Decided: to continue consideration of this application to the meeting of this Panel scheduled to be held on Thursday, 29 November 2018 when the outcome of the pending case would be known.

The meeting ended at 11.45 a.m.