

REGULATORY PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr, on
19 September 2019 at 10.00 a.m.

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

Apology: Councillor Craig Mackay.

Attending: M. Douglas, Team Leader (Licensing); D. Scobie, Civic Licensing Standards Officer; and J. McClure, Committee Services Lead Officer.

Also Attending: Sergeant D. Dougan, Police Scotland.

1. Chair's Remarks.

The Chair outlined the procedures for the hearing process pertaining to the applications on the agenda.

2. 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.

3. Minutes of previous meeting.

The minutes of [13 August 2019 \(Special\)](#) and [22 August 2019](#) (issued) were submitted and approved.

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

- (i) Reference was made to the Minutes of 13 August 2019 (Page 1, paragraph 2) when the Panel had decided to suspend the Taxi Driver Licence held by Martin Thomas Cockburn with immediate effect for a period of six weeks or until a hearing under paragraph 11 of the Act, whichever shall be earlier.

The Panel then heard from the Team Leader (Licensing) and from Police Scotland in relation to this matter.

Decided: to suspend the licence previously held by Martin Thomas Cockburn with immediate effect for its unexpired duration under paragraph 11(2)(a) and (2)(c) of Schedule 1 of the Civic Government (Scotland) Act 1982, namely that the licence holder is not a fit and proper person to hold the licence and the carrying on of the licensed activity is likely to cause a threat to public safety.

- (ii) The Panel heard from the applicant, Allan Brain and considered a letter submitted by a friend of the applicant.

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

- (iii) The Panel heard from the Team Leader – Licensing and considered the request for exemption from carrying wheelchair using passengers from Arthur John Chavner.

Decided: to approve this request for exemption from carrying wheelchair using passengers for the remaining term of his licence.

- (iv) The Panel heard the Team Leader (Licensing) advise that Police Scotland had now outlined that they had no objection to the application from Thomas Burns.

Decided: to note that this application had now been granted under delegated powers.

- (v) The Panel heard the Team Leader (Licensing) advise that Police Scotland had now outlined that they had no objection to the application from David Kennedy Rodger.

Decided: to note that this application had now been granted under delegated powers.

- (vi) The Panel heard from Police Scotland and from the applicant, Mark David Childs, in response.

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

(b) Taxi Driver Training.

The Panel considered the proposed suspension of four licences.

Decided:

- (i) having heard from Arthur Chavner, to suspend the licence held by him 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 Service Lead - Legal and Licensing to reinstate this licence once proof of completion of the training course had been exhibited; and
- (ii) 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:-

Iain Alexander McNally;
Ryan Hilditch; and
Murat Tatlici.

(c) **Private Hire Driver Training.**

The Panel considered the proposed suspension of three licences.

Decided: to agree to suspend the licence 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:-

Colin Charles;
Kenneth Boyd Brown; and
Emma-Louise Mawhinney.

The meeting ended at 10.30 a.m.