

**REGULATORY PANEL.**

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

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

Apologies: Councillors Brian Connolly and Margaret Toner.

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

Also Attending: Sergeant D. Dougan, and E. Blackwood, 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 the previous meeting of 25 April 2019 (issued) were submitted and approved.

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

(i) The Panel considered the application from James Andrew Steele.

**Decided:** to continue consideration of this application to a future meeting of this Panel to allow further information to be sought.

(ii) The Panel considered the application from Matthew Cowan.

**Decided:** to continue consideration of this application to a future meeting of this Panel to allow further information to be sought.

**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.**

**Private Hire Vehicle Licence.**

- (i) The Panel considered the application from Mushfiq Ahmed.

**Decided:** in the absence of the applicant, to refuse this application as the applicant had failed to produce a suitable vehicle for testing.

- (ii) The Panel considered the proposed suspension of the four licences held by Martin Fisher (17/01050/PHVL, L300 HAN, Plate 3; 17/00374/PHVL, L7 HAN, Plate 16; 17/00325/PHVL, L100 HAN, Plate 1; and 18/00799/PHVL, L200 HAN, Plate 2).

Having heard from the licence holder's wife who advised that she was in attendance to represent him, the Panel agreed to proceed with this matter.

The Panel then heard from the Civic Licensing Standards Officer, the Fleet Officer and the licence holder's representative and viewed videos of the vehicle inspections.

**Decided:** not to suspend the above four licences held by Martin Fisher, however, to agree that these vehicles should be inspected four monthly for a period of one year and any further failures to be brought to the attention of the Panel.

- (iii) The Panel considered the proposed suspension of the four licences currently held by Alastair Taylor (17/01129/PHVL, PY65 KBF, Plate 59; 17/00909/PHVL, BN65 XGY, Plate 62; 18/00494/PHVL, PY67 CGX, Plate 144; and 17/01039/PHVL, NU67 XST, Plate 179).

**Decided:** at the request of the applicant, to continue consideration of this matter to a future meeting of this Panel.

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.**

**Taxi Driver.**

The Panel heard an objection from Police Scotland and from the applicant, Patrick White.

**Decided:** to refuse this application on the grounds that, in terms of paragraph 5(3)(a)(ii) of Schedule 1 of the Civic Government (Scotland) Act 1982, in their opinion, the applicant was not a fit and proper person to be the holder of the licence.

The meeting ended at 11.00 a.m.