

REGULATORY PANEL.

Minutes of meeting in County Buildings, Wellington Square, Ayr, on
22 August 2019 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); 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 [20 June 2019](#) and [15 July 2019 \(Special\)](#) (issued) were submitted and approved.

4. Civic Licensing Standards Officer Update.

The Civic Licensing Standards Officer advised

- (1) that the failure statistics for Taxis and Private Hire Vehicles for the second quarter of 2019 compared to the same period in 2018 were as follows:-
 - (a) 8% failure rate for Taxi Vehicles as opposed to 10% last year;
 - (b) a 13% failure rate for Private Hire Vehicles as opposed to 5% last year;
- (2) that this was a slight decrease in failure rates for Taxi Vehicles but a significant increase in Private Hire Vehicle failures; and
- (3) that she would continue to monitor the operators of those vehicles which had failed.

Following questions, the Civic Licensing Standards Officer outlined the reasons for these vehicles failing the test and, having raised concerns about these dangerous and unacceptable reasons for failure, the Panel requested that the Team Leader (Licensing) investigate ways to re-introduce additional vehicle checks by Licensing Service with colleagues from Fleet Management.

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

(a) Taxi Driver Training.

The Panel heard from the Civic Licensing Standards Officer and considered the proposed suspension of eight 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:-

Fergus Cameron Little;
Alexis Innes Burdon;
Joseph Lampard;
Ian Richard Patterson;
Lynda Margaret Campbell;
William Howie Cairns;
Mushfiq Ahmed; and
Alan David Thomson

(b) Private Hire Driver Training.

The Panel heard from the Civic Licensing Standards Officer and considered the proposed suspension of the licence held by James Peter Jeffreys.

Decided: to agree to suspend the licence held by James Peter Jeffreys 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.

(c) Taxi Drivers.

(i) The Panel heard from Police Scotland and from the representative for the applicant, Thomas James Mathieson, in response.

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

(ii) The Panel considered the application from David Knox Little.

Decided: to note that the Police Scotland holding letter had now been withdrawn and that the application had been granted under delegated powers.

(iii) The Panel heard from the Team Leader – Licensing and from the representative for the applicant, Balkar Singh in response.

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

6. **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.

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

Late Hours Catering.

Shahid Mahmood for Premises at 9 West Portland Street, Troon.

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

8. **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.

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

Taxi Drivers.

The Panel heard from Police Scotland and from the applicant, Thomas Lindores, in response.

Decided: to continue consideration of this application to a future meeting of this Panel once the outcome of the Court trial was known.

The meeting ended at 10.45 a.m.