

REGULATORY PANEL.

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

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

Apologies: Councillors Andy Campbell and Mary Kilpatrick.

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

Also Attending: Chief Inspector B. Anderson, 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 [31 October 2019](#) and [6 November 2019 \(Special\)](#) (issued) were submitted and approved.

4. 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.

5. Civic Government (Scotland) Act 1982 - Licences.**(a) Late Hours Catering.****Shahid Mahmood for Dogars, 9 West Portland Street, Troon, KA10 6AB.**

The Panel heard from Police Scotland and from the applicant's representative in relation to this application.

Decided: to approve this application for one year, the approved hours being every Sunday to Thursday from 11.00 p.m. to 1.00 a.m. and every Friday and Saturday from 11.00 p.m. to 3.00 a.m., subject to standard conditions as previously agreed.

(b) **Taxi Drivers.**

- (i) Reference was made to the Minutes of 31 October 2019 (Page 2, paragraph 4(a)(i)) when the Panel decided, in the absence of the applicant, to continue consideration of his application to this meeting to allow the applicant to attend and thereafter, the Panel considered a letter from the applicant, Jonathan Michael Haughey.

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

- (ii) The Panel considered the application from Mukhtar Ahmad Azimi.

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

(c) **Taxi Vehicle Licence.**

The Panel considered the application from George Dickson.

Decided: to continue consideration of this application to a future meeting of this Panel to allow the applicant's vehicle to be inspected.

(d) **Private Hire Vehicle Licences.**

- (i) The Panel heard from the Civic Licensing Standards Officer and from the licence holder, Maurice McWhirter in response, in relation to the proposed suspension of licence number 18/00646/PHVL.

Decided: not to suspend the licence held by Maurice McWhirter, however, his vehicle should be tested every six months for the next year; and delegated powers be granted to the Service Lead – Legal and Licensing to revert back to annual testing should his vehicles pass the bi-annual inspections.

- (ii) The Panel heard from the Civic Licensing Standards Officer and from the applicant, Maurice McWhirter in response, in relation to the renewal application for licence number 19/00903/PHVL

Decided: to approve this application for three years subject to standard conditions as previously agreed and subject to the vehicle being tested every six months for the next year; and delegated powers be granted to the Service Lead – Legal and Licensing to revert back to annual testing should his vehicles pass the bi-annual inspections.

(e) **Second Hand Car Dealer.**

Future Vehicle Solutions Limited for 5 Miller Road, Ayr.

The Panel considered the above application.

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

6. **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.

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

Taxi Vehicle Licence.

The Panel heard from the Civic Licensing Standards Officer and from the licence holder, James McFarlane, in response.

Councillor Cavana, seconded by Councillor Mackay, moved that this licence not be suspended, however, the vehicle should be tested every six months for the next year.

By way of Amendment, Councillor Fitzsimmons, seconded by Councillor Toner, moved that this licence not be suspended, however, the vehicle should be tested every four months for the next year.

On a vote being taken by a show of hands, two Members voted for the Amendment and four the Motion which was accordingly declared carried.

Decided: not to suspend the licence held by James McFarlane, however, his vehicle should be tested every six months for the next year; and delegated powers be granted to the Service Lead – Legal and Licensing to revert back to annual testing should his vehicle pass the bi-annual inspections.

The meeting ended at 11.00 a.m.