

REGULATORY PANEL.

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

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

Apology: Councillor Mary Kilpatrick.

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

Also Attending: Sergeant D. Dougan and Constable A. Kerr, 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 [18 September 2019 \(Site Visit\)](#) and [19 September 2019](#) (issued) were submitted and approved.

3. Civic Licensing Standards Officer Update.

The Civic Licensing Standards Officer advised

- (1) that the failure statistics for Taxis and Private Hire Vehicles for the third quarter of 2019 compared to the same period in 2018 (1 July to 30 September) were as follows-
 - (a) 10% failure rate for the forty one Taxi Vehicles tested which was four fails; as opposed to 2% last year when forty Taxi Vehicles were tested and one failed; and
 - (b) a 7% failure rate for the forty four Private Hire Vehicles tested and three failures as opposed to 4% last year when fifty five vehicles had been tested and two failed;
- (2) that she had circulated the reasons for failure to all Panel Members and would continue to monitor all operators;
- (3) that the next Taxi/Private Hire Driver training course was being held on Tuesday 5 November 2019;

- (4) that she had recently carried out inspections of nineteen Second Hand Dealers premises with colleagues from Trading Standards checking that licence holders were adhering to their license conditions, with eight of these premises requiring to be revisited for various reasons; and
- (5) that she was, however, pleased to report that all premises had their licence available for inspection and records were being maintained.

Following questions, the Chair thanked the Civic Licensing Standards Officer for her update and for carrying out this worthwhile piece of work.

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

(a) **Taxi Drivers.**

- (i) The Panel considered the application from Jonathan Michael Haughey.

Decided: in the absence of the applicant, to continue consideration of this application to the next meeting of this Panel scheduled to be held on 28 November 2019 to allow the applicant to attend.

- (ii) The Panel heard from Police Scotland and from the applicant, Festim Ereqi, in response.

Decided: by a majority, to continue consideration of this application to a future meeting of this Panel once the outcome of the court trial was known.

- (iii) The Panel considered the application from Matthew Alan Robertson.

Decided: to continue consideration of this application to allow further information to be sought.

- (iv) The Panel heard from the Civic Licensing Standards Officer and from the licence holder, Steven Mitchell, in response.

Decided: to suspend the licence held by Steven Mitchell with immediate effect and to grant delegated powers to the Service Lead – Legal and Licensing to reinstate this licence on receipt of a satisfactory medical report.

(b) **Taxi Driver Training.**

The Panel considered the proposed suspension of two 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:-

Steven Robert Grigor; and
Iain Weeks.

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

The Panel considered the proposed suspension of the licence held by Kevin Cooley.

Decided: to agree to suspend the licence held by Kevin Cooley 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.

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

The Panel heard from the Team Leader (Licensing) in relation to the proposed suspension of the licence held by Lavinia Anne Wilson.

Decided: to note that this matter had now been resolved and no further action should be taken.

The meeting ended at 10.30 a.m.