

REGULATORY PANEL

Minutes of a hybrid webcast meeting of
28 September 2023 at 10.00 a.m.

Present in County Hall: Councillors Kenneth Bell (Chair), Ian Cavana, Alec Clark, Mark Dixon, Hugh Hunter, Martin Kilbride, Mary Kilpatrick and Duncan Townson.

Apology: Councillor Craig Mackay.

Attending: L. McChristie, Co-ordinator (Licensing); C. Carroll, Co-ordinator (Housing Policy and Strategy) G. Beattie, Fleet Inspector; D. Scobie, Civic Licensing Standards Officer; J. McClure, Committee Services Lead Officer; and C. McCallum, Committee Services Assistant.

Also Attending: Inspector I. McColl, Police Scotland.

Chair's Remarks

The Chair

- (1) welcomed everyone to the meeting; and
- (2) outlined the procedures for conducting this meeting and advised that this meeting would be broadcast live.

1. Sederunt and Declarations of Interest.

The Co-ordinator (Licensing) called the Sederunt for the meeting and having called the roll, confirmed that 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.

2. Minutes of Previous Meeting

The **minutes** of 31 August 2023 (issued) were submitted and approved.

3. Civic Government (Scotland) Act 1982 - Licences

(a) Taxi Drivers.

The Panel considered the proposed suspension of various licences.

Decided:

- (i) that, as the undernoted licence holders had not completed training, to suspend the licences held by them for their unexpired duration with immediate effect on the ground that a condition of the licence has been contravened; 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:

- (A) Shahzad Ahmad;
- (B) Graham McCall;
- (C) Ewan Alexander;
- (D) Daniel James Biggar; and
- (E) Ryan Beattie;

(ii) having heard the Chair advise that the licences previously held by the following had now been surrendered, to take no further action:

- (A) Scott Frazer
- (B) Barry Cairns;
- (C) James Lynch; and
- (D) David Reid; and

(iii) having heard from the following, to grant delegated powers to the Service Lead – Legal and Licensing to suspend the licences held by them should they not submit a certificate of completion of the training course to Licensing Services within seven days of the training course taking place on 9 November 2023:

- (A) George James Ferguson;
- (B) Barrie McCurdie;
- (C) William Larson; and
- (D) Derek Cochrane.

(b) Private Hire Driver.

The Panel considered the proposed suspension of the licence currently held by James Billingham.

Decided: that as James Billingham had not completed training, to suspend the licence held by him for its unexpired duration with immediate effect on the ground that a condition of the licence has been contravened; 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 Vehicle.

The Panel heard from the Civic Licensing Standards Officer, from the Fleet Inspector and from the licence holder, Balkar Singh, in relation to the proposed suspension of the licence currently held by him.

Decided: to suspend the licence currently held by Balkar Singh on the grounds that the licence holder is not or is no longer a fit and proper person to hold the licence.

(d) Late Hours Catering.

TG Convenience Stores Limited For 1 Monkton Road, Prestwick, KA9 1AS

The Panel heard from the Civic Licensing Standards Officer and from the applicant's representative.

Decided: to approve this application for the hours Monday to Sunday from 11.00 p.m. to 5.00 a.m., subject to standard conditions previously agreed.

(e) Short Term Lets**85 Dalblair Road, Ayr**

The Panel heard from the Co-ordinator (Licensing), from the Co-ordinator (Housing Policy and Strategy) and from the applicant in relation to the above application.

In terms of Standing Order No. 19.9, there was no general agreement to the unopposed motion, therefore, the Council moved to a vote for or against the Motion.

Decided: by a majority, to approve this application subject to standard conditions as previously agreed.

Councillor Kilpatrick left the meeting at this point.

4. 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 items, on the grounds that they involved the likely disclosure of exempt information in terms of paragraph 6 of Part 1 of Schedule 7A of the Act.

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

The Panel considered the proposed suspension of various licences.

Decided:

- (i) having heard from Christopher William Bradley, to grant delegated powers to the Service Lead – Legal and Licensing to suspend the licence held by him should he not submit a certificate of completion of the training course to Licensing Services within seven days of the training course taking place in February 2024; and
- (ii) that, as Dillon McEwan had not completed training, to suspend the licence held by him for its unexpired duration with immediate effect on the ground that a condition of the licence has been contravened; 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.

Adjournment

The time being 11.45 a.m., the Panel adjourned for ten minutes for a comfort break.

Resumption of Meeting

The meeting resumed at 11.55 a.m.

(b) **Taxi Driver.**

The Panel heard from Police Scotland and from the licence holder in relation to the proposed suspension of the licence currently held by James Ferguson Mitchell.

Decided: to suspend the licence currently held by James Ferguson Mitchell with immediate effect for a period of six weeks or until a hearing under paragraph 11 of the Act, whichever shall be earlier.

The meeting ended at 12.10 p.m.

DRAFT