

REGULATORY PANEL

Minutes of a hybrid webcast meeting of
20 February 2025 at 10.00 a.m.

Present in County Hall: Councillors Alan Lamont (Chair), Ian Cavana, Alec Clark, Martin Kilbride, and Duncan Townson.

Present Remotely: Councillors Mary Kilpatrick and Craig Mackay.

Apologies: Councillors Mark Dixon and Lee Lyons.

Attending: K. Briggs, Service Lead – Legal and Licensing; L. McChristie, Co-ordinator (Licensing); C. Carroll, Service Lead – Housing Strategy and Regeneration; D. Scobie, Civic Licensing Standards Officer; M. Wright, Fleet Officer; J. McClure, Committee Services Lead Officer; and E. Moore, 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, Councillor Cavana declared an interest in item 6(a)(i) of this Minute as the applicant's family was known to him, in terms of Council Standing Order No. 17 and the Councillors' Code of Conduct.

As Councillors Kilpatrick and Townson left during the previous meeting, they were unable to vote on the previous Minutes. As Councillors Cavana and Lamont had declared an interest in an item on the agenda they were also unable to vote.

2. Minutes of Previous Meeting

The minutes of 23 January 2025 (issued) were submitted and approved.

Councillors Kilpatrick and Townson left the previous meeting prior to consideration of the following application and Councillors Clark and Mackay were not in attendance at the site visit, therefore, they could not take part in consideration of this application and left the meeting at this point.

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

(a) **Short Term Lets**

Orchard Flat, 2D Racecourse View, Ayr

Reference was made to the Meeting of 23 January 2025 when it had been decided to undertake an accompanied site visit to the premises; and to the site visit of 14 February 2025; and the Panel now heard from the applicant's representative and from the representative for the objectors and adjourned for consideration of this application.

Upon reconvening, the Panel

Decided: to approve this application for one year, subject to standard conditions as previously agreed

Councillor Kilbride left the meeting at this point.

Councillors Clark, Mackay and Townson re-joined the meeting at this point. Councillor Kilpatrick did not re-join the meeting,

4. **Short Term Lets**

The Service Lead – Housing Strategy and Regeneration provided the Panel with an update on the Short Term Lets Scheme and the work undertaken by him and his Team.

The Panel, having thanked the Service Lead and his staff for their work on this matter,

Decided: to note the update.

5. **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 following two items, on the grounds that they involved the likely disclosure of exempt information in terms of paragraph 14 of Part 1 of Schedule 7A of the Act.

Having previously declared an interest in the following item, Councillor Cavana left the meeting at this point.

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

(a) **Taxi Driver Licence**

- (i) The Panel heard from Police Scotland and from the representative for the licence holder, Mark Ballantyne in relation to the proposed suspension of the licence currently held by him, under Paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, and adjourned for consideration of this matter.

Upon reconvening, the Panel

Decided: not to suspend the licence, and to take no further action in relation to this matter.

Councillor Cavana re-joined the meeting at this point.

- (ii) The Panel heard from Police Scotland in relation to the application from Gemma Hosie.

The Panel

Decided: to refuse this application in terms of Paragraph 5(1) of Schedule 1 of the Civic Government (Scotland) Act 1982 as, in their opinion, the applicant is not a fit and proper person to be granted a licence.

- (iii) The Panel heard from Police Scotland and from the applicant, Ross Jarvie, in relation to his application.

The Panel

Decided: to approve this application subject to standard conditions as previously agreed.

- (iv) The Panel heard from the Co-ordinator (Licensing) and from the applicant, Richard Colville in relation to his application.

The Panel

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

Councillor Mackay left the meeting at this point.

(b) Training

The Panel considered the proposed suspension of various licences as the licence holders had not completed the mandatory training.

The Panel

Decided:

- (i) having heard from the Civic Licensing Standards Officer, 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) Mohammad Mehdi Oruzgani;
 - (B) Ladislav Banom;
 - (C) Cameron McFarlane;
 - (D) John Andrew;
 - (E) Michelle Thomson
 - (F) Gurchet Singh; and
 - (G) Diana Woods;
- (ii) having heard the Chair advise that the following had surrendered their licences, to take no further action in relation to these licence holders:
 - (A) David McCririck; and
 - (B) Aimee Dawn Woods;
- (iii) having heard the Civic Licensing Standards Officer advise that reminders had previously been sent to Michelle Thomson to an old email address, however, further emails had been sent to the present email address and she had still not completed the training; to suspend the licence held by her 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.

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 following item, 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

(a) Training

The Panel considered the proposed suspension of the licence currently held by Huda Ishaque Shahid as she had not completed the mandatory training.

The Panel

Decided: having heard the licence holder advise that she would book a place on the training course on 27 March 2025, not to take any action at present; and to grant delegated powers to the Service Lead - Legal and Licensing to (1) suspend her licence for its unexpired portion should Huda Ishaque Shahid not undertake the appropriate training course on 27 March 2025 and notify the Licensing team within one week of passing the training course; and (2) to reinstate this licence once proof of completion of a training course had been exhibited.

(b) Taxi Vehicle Licences

- (i) The Panel heard from the Civic Licensing Standards Officer and from the Fleet Officer, in relation to the proposed suspension of the licence currently held by Ria Taxis Ltd and Graeme Russell.

The Panel

Decided: in the absence of the applicant, to continue consideration of this matter to a future meeting of this Panel.

- (ii) The Panel heard from the Civic Licensing Standards Officer, from the Fleet Officer and from the applicant, Marion McKee, in relation to the proposed suspension of the licence currently held by her.

The Panel

Decided: to take no further action in relation to this matter.

- (iii) The Panel heard from the Civic Licensing Standards Officer and from the Fleet Officer, in relation to the proposed suspension of the licence currently held by 1 Alba Cabs Limited and John Grigor.

The Panel

Decided: in the absence of the applicant, to take no further action.

- (iv) The Panel heard from the Civic Licensing Standards Officer and from the Fleet Officer, in relation to the proposed suspension of the licence currently held by Jane Coulter.

The Panel

Decided: to continue consideration of this matter to the next meeting of this Panel to be held on 20 March 2025 to allow the licence holder to attend.

- (v) The Panel heard from the Civic Licensing Standards Officer and from the Fleet Officer, in relation to the proposed suspension of the licence currently held by John Grigor.

The Panel

Decided: to continue consideration of this matter to the next meeting of this Panel to be held on 20 March 2025 to allow the licence holder to attend.

(c) Private Hire Vehicle Licences

The Chair advised that the following Private Hire Vehicle applications had already been dealt with under the Taxi Vehicle part of the agenda:

- (i) 1 Alba Cabs Limited and John Grigor; and
- (ii) John Grigor.

9. Update – Review of Metered Taxi Fares

There was submitted a report (issued) of 14 February 2025 by the Chief Governance Officer seeking approval to continue the review of metered fares for taxis and update the proposed new fare scale.

The Panel

Decided:

- (1) to propose updated maximum scales for fares, as detailed in Appendix 2 of the report;
- (2) to request officers to advertise the proposed scales in a newspaper circulating in the local authority area;
- (3) in the event of there being no adverse representations received, to grant delegated authority to the Service Lead - Legal and Licensing, to fix the scales as proposed and give notice of the scales and date of commencement of the scales, in a newspaper circulating in the local authority; and
- (4) in the event of there being adverse representations received, request officers to bring back a further report to Panel, to consider those representations.

The meeting ended at 1.20 p.m.