

REGULATORY PANEL

Minutes of a hybrid webcast meeting of
27 April 2023 at 10.00 a.m.

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

Present Remotely: Councillors Mary Kilpatrick and Craig Mackay.

Apology: Councillor Brian Connolly.

Attending: K. Briggs, Service Lead – Legal and Licensing; L. McChristie, Co-ordinator (Licensing); D. Scobie, Civic Licensing Standards Officer; M. Wright, Fleet Inspector; J. McClure, Committee Services Lead Officer; and C. McCallum, Clerical Assistant.

Attending Remotely: Sergeant S. Syme, 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 Service Lead – Legal and 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 16 March 2023 (issued) were submitted and approved.

3. Update by Civic Licensing Standards Officer.

The Civic Licensing Standards Officer

- (1) outlined the failure statistics for Taxis and Private Hire Vehicles for the first quarter of 2023 (1 January to 31 March), compared to the same period in 2022 as follows:-
 - (a) 19% failure rate for the thirty two Taxi Vehicles tested and six vehicles which failed; compared to 6% in 2022 when thirty three Taxi Vehicles had been tested and two had failed; and

- (b) 29% failure rate for the thirty eight Private Hire Vehicles tested and eleven failures as opposed to 29% in 2022 when thirty five vehicles had been tested and ten had failed;
- (2) highlighted the various reasons for the vehicles failing the test;
- (3) advised that all operators would continue to be monitored and, if necessary, brought before the Panel; and
- (4) advised that the licensing team was very busy dealing with a significant number of applications for Public Entertainment Licences for events across the spring and summer. e.g. Ayr County Show, Holy Fair, Carrick Lowland Gathering and many other events in South Ayrshire and that an application for the Air Show was also expected later in the year.

The Panel, having expressed its disappointment at the increase in failure rates, having outlined that the Panel's primary concern was public safety; and stated that licence holders required to ensure that their vehicle was roadworthy at all times,

Decided: to note the update from the Civic Licensing Standards Officer.

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 item 4(a) of this Minute, 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.

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

(a) **Taxi Driver**

The Panel heard an objection from Police Scotland and from the applicant, Gordon William Smith in response.

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 for two years, subject to standard conditions as previously agreed.

(b) **Taxi Vehicle.**

- (i) The Panel heard from the Civic Licensing Standards Officer, the Fleet Inspector and from the representative for the licence holder in relation to the proposed suspension of the licence currently held by Citadel Taxis (Ayr) Ltd and Graham Campbell.

Decided: to take no further action at this time.

- (ii) The Panel heard from the Civic Licensing Standards Officer, the Fleet Inspector and from the representative for the licence holder, David Kerr in relation to the proposed suspension of the licence currently held by him.

Decided: to take no further action at this time.

- (iii) The Panel considered the proposed suspension of the licence currently held by Balkar Singh.

Decided: in the absence of the applicant, to continue consideration of this matter to the next meeting of this Panel to allow the applicant to attend.

(c) Private Hire Vehicle

- (i) The Panel considered the proposed suspension of the licence currently held by Mariusz Czaporowski.

Decided: in the absence of the applicant, to continue consideration of this matter to the next meeting of this Panel to allow the applicant to attend.

- (ii) The Panel heard from the Civic Licensing Standards Officer, the Fleet Inspector and from the licence holder, David Watson McFadyen in relation to the proposed suspension of the licence currently held by him.

Decided: to take no further action at this time.

The meeting ended at 11.30 a.m.