

REGULATORY PANEL (SPECIAL)

Minutes of a hybrid webcast special meeting of
14 December 2022 at 10.00 a.m.

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

Present Remotely: Councillor Craig Mackay.

Apology: Councillor Mary Kilpatrick.

Attending: K. Briggs, Service Lead – Legal and Licensing; D. Scobie, Civic Licensing Standards Officer; J. McClure, Committee Services Lead Officer; C. Buchanan, Committee Services Officer; and C. McCallum, Committee Services Assistant.

Chair's Remarks

The Chair confirmed to Members the procedures to conduct this meeting and advised that the meeting was being 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. 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 of business on the agenda, 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.

3. Civic Government (Scotland) Act 1982 – Taxi Driver Licences

- (a) The Panel heard from Police Scotland in relation to the proposed suspension of the licence currently held by Patrick O'Donnell; and from the licence holder and his representative in response.

The Panel

Decided:

- (i) to suspend the licence currently held by Patrick O'Donnell with immediate effect until the expiry of the period of Disqualification Order issued by Ayr Sheriff Court under Section 40B of the Child Support Act 1991 (one year from 21 October 2022) or until the Disqualification Order has been revoked if earlier; and in terms of Paragraph 11(2)(a) of Schedule 1 of the 1982 Act as, in their opinion, the holder of the licence is no longer a fit and proper person to hold the licence; and

- (ii) to grant delegated powers to the Service Lead – Legal and Licensing, to lift the suspension of the licence, should Police Scotland advise that the Disqualification Notice had been revoked.

- (b) The Panel heard from Police Scotland in relation to the proposed suspension of the licence currently held by Dominic Bennett.

Decided: in the absence of the applicant, to suspend the licence currently held by Dominic Bennett 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 10.35 a.m.