



MINUTES OF MEETING of the REGULATORY COMMITTEE held within the Council Chamber, Patons Building, Kilncraigs, Alloa, FK10 1EB, on TUESDAY 27 OCTOBER 2015 at 10.00 am.

Present

Councillor Derek Stewart, Vice Convenor (In the Chair)
Councillor Alastair Campbell
Councillor Kenneth Earle
Councillor Irene Hamilton
Councillor Kathleen Martin

In Attendance

Gordon McNeil, Head of Development and Environment
June Andison, Licensing Administrator
Paul Fair, Licensing Standards Officer
Janice G McCrum, Solicitor, Legal Services (Clerk to the Committee)
Alastair MacKenzie, Team Leader, Licensing and Building Services

In the absence of the Convenor, the meeting was chaired by Councillor Derek Stewart, Vice Convenor.

RC.104 APOLOGIES

Apologies for absence were received from Councillor Ellen Forson and Councillor Les Sharp.

RC.105 DECLARATION OF INTERESTS

None

RC. 106 MINUTES OF MEETING: REGULATORY COMMITTEE 22 SEPTEMBER 2015

The minutes of the meeting of the Regulatory Committee held on 22 September 2015 were submitted for approval.

The minutes of the meeting of the Regulatory Committee held on 22 September 2015 were agreed as a correct record and signed by the Vice Convenor.

The minutes of the meeting held on 22 September 2015 were counter-signed by the Convenor after he joined the meeting at item RC.111.

RC. 107 APPLICATION FOR GRANT OF TAXI OPERATOR'S LICENCE

A report which asked the Committee to consider an application for the grant of a taxi operator's licence was submitted by the Head of Development and Environment. In accordance with the Council's Scheme of Delegation, the Committee was asked to consider this application as it had attracted seven objections.

Attending

Mr John Usher, Applicant
Mr James French, Applicant
Mr Colin Hood, Objector, representing the Taxi Owners' Association
Mr Alastair MacKenzie, Team Leader, Licensing and Building Standards

The Committee heard submissions from all of the parties attending and had opportunity to put questions to them.

Motion

Having considered all of the information set out in the report and the representations made, that the Committee approves the application for the grant of a Taxi Operator's Licence.

Moved by Councillor Kenneth Earle. Seconded by Councillor Irene Hamilton.

Decision

Having considered all of the information set out in the report and the representations made, the Committee agreed unanimously to approve the application for the grant of a Taxi Operator's Licence.

Action

Head of Development and Environment

RC. 108 APPLICATION FOR GRANT OF TAXI OPERATOR'S LICENCE

A report which asked the Committee to consider an application for the grant of a taxi operator's licence was submitted by the Head of Development and Environment. In accordance with the Council's Scheme of Delegation, the Committee was asked to consider this application as it had attracted five objections.

Attending

Mr Stephen Nicol, Applicant
Mr Colin Hood, Objector, representing the Taxi Owners' Association
Mr Alastair MacKenzie, Team Leader, Licensing and Building Standards

A written submission was provided by Mr Stephen Nicol, Applicant, which asked the Committee to take all of the information provided into account when making a determination. The Committee heard submissions from all of the parties attending and had opportunity to put questions to them.

Motion

Having considered all of the information set out in the report and the representations made, that the Committee approves the application for the grant of a Taxi Operator's Licence.

Moved by Councillor Kenneth Earle. Seconded by Councillor Kathleen Martin.

Decision

Having considered all of the information set out in the report and the representations made, the Committee agreed unanimously to approve the application for the grant of a Taxi Operator's Licence.

Action

Head of Development and Environment

RC. 109 APPLICATION FOR GRANT OF TAXI OPERATOR'S LICENCE

A report which asked the Committee to consider an application for the grant of a taxi operator's licence was submitted by the Head of Development and Environment. In accordance with the Council's Scheme of Delegation, the Committee was asked to consider this application as it had attracted seven objections.

Attending

Mr Alastair MacKenzie, Team Leader, Licensing and Building Standards

The Committee heard a submission from Mr MacKenzie and had opportunity to put questions to him.

Mr James McIntyre, Applicant, did not attend.

Motion

Having considered all of the information set out in the report and the representation made, that the Committee approves the application for the grant of a Taxi Operator's Licence.

Moved by Councillor Kenneth Earle. Seconded by Councillor Kathleen Martin.

Decision

Having considered all of the information set out in the report and the representation made, the Committee agreed unanimously to approve the application for the grant of a Taxi Operator's Licence.

Action

Head of Development and Environment

RC. 110 APPLICATION FOR GRANT OF TAXI OPERATOR'S LICENCE

A report which asked the Committee to consider an application for the grant of a taxi operator's licence was submitted by the Head of Development and Environment. In accordance with the Council's Scheme of Delegation, the Committee was asked to consider this application as it had attracted seven objections.

Attending

Mr David James, Applicant

Mr Colin Hood, Objector, representing the Taxi Owners' Association

Mr Alastair MacKenzie, Team Leader, Licensing and Building Standards

The Committee heard submissions from all of the parties attending and had opportunity to put questions to them.

Motion

Having considered all of the information set out in the report and the representations made, that the Committee approves the application for the grant of a Taxi Operator's Licence.

Moved by Councillor Kenneth Earle. Seconded by Councillor Irene Hamilton.

Decision

Having considered all of the information set out in the report and the representations made, the Committee agreed unanimously to approve the application for the grant of a Taxi Operator's Licence.

Action

Head of Development and Environment

RC. 111 APPLICATION FOR GRANT OF TAXI DRIVER'S LICENCE

A report which asked the Committee to consider an application for the grant of a taxi driver's licence was submitted by the Regulatory Services Manager. In accordance with the Council's Scheme of Delegation, the Committee was asked to consider this application as it had attracted an objection from the Chief Constable in terms of Paragraph 3 to Schedule 1 to the Civic Government (Scotland) Act 1982.

Attending

Mr Scott McMahon, Applicant

Mr Kevin McMahon, Support for Applicant

Mr Alastair MacKenzie, Team Leader, Licensing and Building Standards

Sergeant Iain McGregor, Licensing Manager, Police Scotland (representing the Chief Constable)

PC Andrew Kane, Licensing Officer, Police Scotland (representing the Chief Constable)

Having heard submissions from all of the parties and having had opportunity for questions, the Committee adjourned at this point in the proceedings (1055 hrs). When the meeting resumed at 1100 hrs, five (5) Committee members remained present.

Motion

Having considered all of the information set out in the report and all of the representations made, that the Committee grants the application subject to the restriction that the licence is granted for a period of one year only.

Moved by Councillor Kenneth Earle. Seconded by Councillor Alastair Campbell.

Councillor Walter McAdam joined the meeting as the motion was put to the vote. Councillor McAdam did not take part in the vote on this matter.

Decision

Having considered all of the information set out in the report and all of the representations made, the Committee agreed unanimously to grant the application for a taxi driver's licence subject to the restriction that the licence is granted for a period of one year only.

On the expiry of this licence, and subject to no further incidents taking place, the applicant may then re-apply for a taxi driver's licence.

Action

Regulatory Services Manager

Ends 1105 hrs