



**MINUTES OF MEETING of the REGULATORY COMMITTEE held via MS TEAMS on
THURSDAY 27 MAY 2021 at 1.00 PM**

PRESENT

Councillor Donald Balsillie (Vice Convenor) (Chair)
Councillor Martha Benny
Councillor Chris Dixon
Councillor Kenneth Earle
Councillor Darren Lee
Councillor Kathleen Martin
Councillor Les Sharp

IN ATTENDANCE

June Andison, Licensing Administrator
Lindsay Thomson, Senior Manager, Partnership and Performance (Clerk to the Committee)
Gillian White, Committee Services, Partnership and Performance

RC(21)09 APOLOGIES

Apologies for absence were received from Councillor Graham Lindsay (Convenor) . In the absence of the Convenor, Vice Convenor Councillor Donald Balsillie took the Chair.

RC(21)10 DECLARATIONS OF INTERESTS

None.

**RC(21)11 MINUTES OF MEETING: REGULATORY COMMITTEE –
25 MARCH 2021**

The minutes of the meeting of the Regulatory Committee held on Thursday 25 March 2021 were submitted for approval.

Decision

The minutes of the meeting of the Regulatory Committee held on Thursday 25 March 2021 were agreed as a correct record and signed by the Vice Convenor.

RC(21)12 APPLICATION TO GRANT TAXI DRIVER LICENCE

The Licensing Authority had received an application for grant of a taxi driver's licence from Mr Steven Baird. A representation had been received from the Civic Licensing Standards Officer (CLSO). No objections were received from Police Scotland. The Committee were asked to consider all the information before them and having done so to determine whether to grant the licence the subject to conditions or to refuse the application.

Attending

Mr Paul Fair, Civic Licensing Standard Officer (CLSO)
Mr Steven Baird, Applicant

The Committee heard representation from the CLSO and the Applicant. The Committee had the opportunity to put questions to all parties.

Following questions, the Committee agreed to adjourn at this point in the proceedings (13:30 hrs) to take legal advice. When the Committee resumed at 14:00 hrs, 7 members remained present.

Motion

Having considered all the information set out in the report and the representations made, and having had the opportunity to put questions to both parties, that the Committee refuse the application to grant a taxi driver's Licence as the applicant is not a fit and proper person..

Moved by Councillor Donald Balsillie. Seconded by Councillor Martha Benny.

Decision

Having considered all of the information provided and the representations made, and having had the opportunity to put questions to all parties, the Committee agreed unanimously to refuse the application to grant a taxi driver's licence as the applicants is not a fit and proper person.

Action

Clerk to the Committee

RC(21)13 LICENSING OF TAXI AND PRIVATE HIRE CAR DRIVERS – MEDICAL CERTIFICATE

The report, submitted by the CLSO, sought a decision on extending the dis-application of standard condition 3 relating to medical certification. The Emergency Decision Making Forum agreed the dis-application on 3 April 2020 for a period of six months. At two separate meetings of the Regulatory Committee it was agreed to further extend the dis-application of standard Condition No 3, until March 2021 and then until 27 May, 2021.

Councillor Sharp asked that "April set out in paragraph 3.4 of the report should be "April 2020".

Motion

To agree the recommendations as set out in the report.

Moved by Councillor Donald Balsillie. Seconded by Councillor Kenneth Earle.

Decision

The Committee agreed:

1. to dis-apply standard condition 3 for applicants for taxi and private hire driver applications until 30 August 2021; and
2. to require all applicants who would have been subject to condition 3 during this period of time between 4 April 2020 and 30 August 2021 to submit a medical certificate certifying fitness to drive to the Council by 31 October 2021.

Action

CLSO

Ends 14:20 hrs