



**MINUTES OF MEETING of the REGULATORY COMMITTEE held via VIDEO
CONFERENCE (MS TEAMS) on WEDNESDAY 23 NOVEMBER 2022 at 9.30 AM**

PRESENT

Councillor Martha Benny (Chair)
Councillor Kenneth Earle
Councillor Phil Fairlie
Councillor Scott Harrison
Councillor Darren Lee
Councillor Jane McTaggart

IN ATTENDANCE

Paul Fair, Civic Licensing Standards Officer (from 9.40 am)
June Andison, Licensing Administrator
Richard Thompson, Solicitor, Legal and Governance (Clerk to the Committee)
Gillian White, Committee Services, Legal and Governance

RC(22)25 APOLOGIES

Apologies for absence were received from Councillor Kathleen Martin and Councillor Wendy Hamilton.

RC(22)26 DECLARATIONS OF INTERESTS

None.

The Chair advised she would move consideration of the previous minute to the end of the meeting as she considered it to be an exempt item.

EXEMPT ITEMS

Following discussion, the Clerk advised that the decision on whether or not items of business are exempt is taken by resolution at each Committee meeting and depended on what is being presented. He advised that great care has to be taken as some information has to be protected under General Data Protection Regulation (GDPR) and that if there is any risk; the safe course of action is for the item not to be discussed in public.

The Committee resolved in terms of Section 50A of the Local Government (Scotland) Act, 1973, that the press and public be excluded from the meeting during consideration of the following items of business on the grounds that they involved the likely disclosure of exempt information as detailed in Schedule 7A, Part 1, Paragraphs 3, 6 and 14.

Councillor Earle asked that it be noted in the minute that he did not agree with the items being exempt as he did not consider that any of the items disclosed information of a personal or financial nature.

The Committee agreed that a report is to be submitted to the next meeting of the Regulatory Committee setting out the background and reasons for items of business being considered as exempt.

Action

Clerk to the Committee

RC(22)27 APPLICATION FOR NON STANDARD VEHICLE APPROVAL

The Licensing Authority had received a request for approval of a one-off exemption from Policy condition 1.2 of the Clackmannanshire Council, Licence Standard Conditions (Taxi and Private Hire Car Operator) to allow a vehicle to be re-licensed. A representation on the application had been received from the Civic Licensing Standards Officer (CLSO).

The Committee were asked to consider all the information before them and having done so to determine whether to grant the approval unconditionally; grant the approval subject to Conditions; or refuse the approval.

Attending

Mr Richard Lee, Applicant

Mr Paul Fair, Civic Licensing Standards Officer (CLSO)

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

Motion

Having considered all of the information presented to it and having had the opportunity for questions, that the Committee approves a one-off exemption from Policy condition 1.2 of the Clackmannanshire Council, Licence Standard Conditions (Taxi and Private Hire Car Operator) which will allow the vehicle to be re-licensed.

Moved by Councillor Kenneth Earle. Seconded by Councillor Phil Fairlie.

Decision

Having considered all of the information presented to it and having had opportunity for questions, the Committee agreed unanimously to approve a one-off exemption from Policy condition 1.2 of the Clackmannanshire Council, Licence Standard Conditions (Taxi and Private Hire Car Operator) which will allow the vehicle to be re-licensed.

Action

Clerk to the Committee

RC(22)28 APPLICATION FOR RENEWAL OF TAXI DRIVER'S LICENCE

The Licensing Authority had received an application for renewal of a taxi driver's licence from Mr James Malcolm. A representation on the application had been received from the Civic Licensing Standards Officer (CLSO). The Committee were asked to consider all the information before them and having done so to determine whether to grant the licence unconditionally, grant the licence with conditions or to refuse the application.

Mr Malcolm was not in attendance and had sent his apologies as he was attending a bus training course.

The Committee heard representation from the CLSO, who also presented information made available to him by Mr Malcolm prior to the Committee. The Committee then had the opportunity to put questions to him.

Motion

Having considered all of the information presented to it and having had the opportunity for questions, that the Committee grants the application for a Renewal of Taxi Driver Licence with the standard conditions.

Moved by Councillor Darren Lee. Seconded by Councillor Jane McTaggart.

Decision

Having considered all of the information presented to it and having had the opportunity for questions, the Committee agreed unanimously to grant the application for a Renewal of Taxi Driver Licence with the standard conditions.

Action

Clerk to the Committee

RC(22)29 APPLICATION FOR RENEWAL OF TAXI DRIVER'S LICENCE

The Licensing Authority had received an application for renewal of a taxi driver's licence from Mr McGregor Thomson. A representation on the application had been received from the Civic Licensing Standards Officer (CLSO). The Committee were asked to consider all the information before them and having done so to determine whether to grant the licence unconditionally, grant the licence with conditions or to refuse the application.

Mr Thomson was not in attendance and had sent his apologies as he was unable to attend

The Committee heard representation from the CLSO. The Committee then had the opportunity to put questions to him.

Motion

Having considered all of the information presented to it and having had the opportunity for questions, that the Committee grants the application for a Renewal of Taxi Driver Licence with the standard conditions.

Moved by Councillor Kenneth Earle. Seconded by Councillor Phil Fairlie.

Decision

Having considered all of the information presented to it and having had the opportunity for questions, the Committee agreed unanimously to grant the application for a Renewal of Taxi Driver Licence with the standard conditions.

Action

Clerk to the Committee

RC(22)23 CONFIRM MINUTE OF MEETING HELD ON 25 OCTOBER 2022

The minutes of the meeting of the Regulatory Committee held on Tuesday 25 October 2022 were submitted for approval.

Decision

The minutes of the meeting of the Regulatory Committee held on Tuesday 25 October 2022 were agreed as a correct record and agreed by Committee.

The CLSO advised that he is seeking committee members to participate in a working group to review taxi fares and that he would be in touch with potential dates.

Ends 10.20 am

