



**MINUTES OF MEETING of the REGULATORY COMMITTEE held via VIDEO
CONFERENCE (MS TEAMS) on TUESDAY 31 JANUARY 2023 at 9.30 AM**

PRESENT

Councillor Kenneth Earle (Chair)
Councillor Martha Benny
Councillor Phil Fairlie
Councillor Scott Harrison
Councillor Kathleen Martin
Councillor Jane McTaggart

IN ATTENDANCE

Paul Fair, Civic Licensing Standards Officer
June Andison, Licensing Administrator
Richard Thompson, Solicitor, Legal and Governance (Clerk to the Committee)
Melanie Moore, Committee Services, Legal and Governance

RC(23)01 APOLOGIES

Apologies for absence were received from Councillor Darren Lee and Councillor Wendy Hamilton.

RC(23)02 DECLARATIONS OF INTERESTS

None.

The Chair advised that she was having IT issues and asked if someone else in the Committee could take over as Chair. Councillor Kenneth Earle advised that he would do it.

EXEMPT ITEMS

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.

RC(23)03 APPLICATION TO GRANT TAXI DRIVER'S LICENCE

The Licensing Authority had received a request to grant a taxi driver's licence. A representation on the application had been received from the Civic Licensing Standards Officer (CLSO) and Police Scotland.

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

Attending

Mr Steven Honeyman, Applicant
Mr Paul Fair, Civic Licensing Standards Officer (CLSO)
Mr Malcolm O May, Police Scotland

Police Scotland had additional information on Mr Honeyman for the Committee to view and on the basis that justice could not be done without the Committee viewing the information. The Committee then resolved to view the information.

The Committee heard representation from the Applicant, the Civic Licensing Standards Officer and Police Scotland. The Committee then had the opportunity to put questions to all parties.

Following questions, the Committee agreed to adjourn at this point in the proceedings (10.21 am). Mr Honeyman, Mr O'May and Mr Fair withdrew from the meeting. The meeting resumed at 10.55 am with 6 members present. Mr Honeyman, Mr O'May and Mr Fair re-joined the meeting.

Motion 1

Having considered all of the information presented to it and having had the opportunity for questions that the Committee refuse to grant the Taxi Driver Licence as the applicant is not a fit and proper person to hold a licence.

Moved by Councillor Phil Fairlie. Seconded by Councillor Martha Benny.

Motion 2

Having considered all of the information presented to it and having had the opportunity for questions that the Committee grant the Taxi Driver Licence.

Moved by: Councillor Kenneth Earle. Seconded by: no one seconded – Motion fell.

Voting on the Motion

For Motion 1	5 votes
Against	1 vote

Decision

Having considered all of the information presented to it and having had the opportunity for questions, the Committee refused to grant the Taxi Driver Licence on 5 votes to 1 as the applicant is not a fit and proper person to hold a licence.

Action

Clerk to the Committee

RC(23)04 REFERRAL PRIVATE HIRE OPERATOR LICENCE AND TAXI DRIVER LICENCE

The Licensing Authority had received information for the Referral relevant to a Private Hire Operator Licence and a taxi driver's licence held by Mr Eamon Sweeney. A representation on the information 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 suspend the Licences, revoke the Licences or take no action.

Attending

Mr Eamon Sweeney, Applicant
Mr Jonny Nisbet, Applicants Representative
Mr Paul Fair, Civic Licensing Standards Officer (CLSO)

The Committee heard representation from the Applicants Representative and the Civic Licensing Standards Officer. The Committee then had the opportunity to put questions to both.

Following questions, the Committee agreed to adjourn at this point in the proceedings (11.46 am). Mr Sweeney, Mr Nisbet and Mr Fair withdrew from the meeting. The meeting resumed at 12.20 pm with 6 members present. Mr Sweeney, Mr Nisbet and Mr Fair re-joined the meeting.

Motion

Having considered all of the information presented to it and having had the opportunity for questions that the Committee agreed to take no action in furtherance of the information presented.

Moved by Councillor Kenneth Earle. 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 take no action in furtherance of the information presented.

Action

Clerk to the Committee

Ends 12.29 am

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