



**Clackmannanshire
Council**

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Comhairle Siorrachd
Chlach Mhanann

**Kilncraigs, Greenside Street, Alloa, FK10 1EB
(Tel.01259-450000)**

Regulatory Committee

Tuesday 28 January 2025 at 9.30 am

Venue: Council Chamber, Kilncraigs, Alloa, FK10 1EB



Regulatory Committee

The Regulatory Committee, subject to the Council's approved policies, has responsibility for:

1. Determining applications for the grant or renewal of any licences to be issued under the Civic Government (Scotland) Act 1982, including the imposition of conditions on any licence granted.
2. Determining whether to suspend or alter any licence issued under the Civic Government (Scotland) Act 1982.
3. Determining whether to recall a suspension made pursuant to the terms of the Civic Government (Scotland) Act 1982.
4. Setting, approving and reviewing any policies in respect of the operation of the licensing regime under the Civic Government (Scotland) Act 1982.
5. Discharging the Council's statutory licensing function in respect of all legislation that imposes the duty on the Council as the appropriate authority to determine applications or to grant regulatory consents in respect of any licensable activities prescribed by statute.
6. Holding hearings and determining HMO Licence applications in terms of Schedule 4 of the Housing (Scotland) Act 2006.
7. Dealing with regulatory and enforcement issues arising from matters delegated to or delivered by Community and Regulatory Services related to Environmental Health, Licensing (other than alcohol licensing) and Trading Standards.
8. Taking decisions on suspending or altering a premises approval as provided for under the Marriage (Scotland) Act 2002.
9. Holding hearings for the purposes of paragraph 7 of Schedule 1 of the Smoking Health and Social Care (Scotland) Act 2005 (the SHSCA 2005).
10. Hearing appeals against officers' decisions to refuse or remove a landlord's or agent's registration under part 8 of the Antisocial Behaviour etc (Scotland) Act 2004.

Members of the public are welcome to attend our Council and Committee meetings to see how decisions are made.

Details of all of our Council and Committee dates and agenda items are published on our website at www.clacks.gov.uk

If you require further information about Council or Committee meetings, please contact Committee Services by e-mail at committees@clacks.gov.uk or by telephone on 01259 452006 or 452004.

20 January 2025

A MEETING of the REGULATORY COMMITTEE will be held in the COUNCIL CHAMBER, KILNCRAIGS, ALLOA on TUESDAY 28 JANUARY 2025 at 9.30 AM.



DALE BELL
Depute Clerk to the Regulatory Committee

B U S I N E S S

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1. Apologies	- -
2. Declaration of Interests Members should declare any financial or non-financial interests they have in any item on this agenda, identifying the relevant agenda item and the nature of their interest in accordance with the Councillors' Code of Conduct. A Declaration of Interest form should be completed and passed to the Committee Officer.	- -
3. Minutes of Regulatory Committee held on Tuesday 24 September 2024 (Copy herewith)	05

EXEMPT INFORMATION

It is anticipated (although this is not certain) that the Committee will resolve to exclude the press and public during consideration of these items.

It is considered that the undernoted reports are treated as exempt from the Council's general policy of disclosure of all papers by virtue of Schedule 7A, Part 1, Paragraphs 3 and 6 of the Local Government (Scotland) Act 1973.

4. Application for Renewal of Taxi Driver Licence (Allan Hunter) - Application Form; and Representation from the Civic Licensing Standards Officer (Copies herewith)	09
5. Application for Grant of Taxi Driver Licence (Andrew Martin) - Application Form and Representation from the Civic Licensing Standards Officer (Copies herewith)	15
6. Application for Grant of Private Hire Operator Licence (Greg Wardlaw) - Application Form, Representation from the Civic Licensing Standard Officer and Supporting Letter from Applicant (Copies herewith)	21

Regulatory Committee – Committee Members (Membership 8 – Quorum 4)

Councillors		Wards		
Councillor	Darren Lee (Chair)	1	Clackmannanshire West	CONSERVATIVE
Councillor	Kenneth Earle (Vice Chair)	4	Clackmannanshire South	LABOUR
Councillor	Phil Fairlie	1	Clackmannanshire West	SNP
Councillor	Martha Benny	2	Clackmannanshire North	CONSERVATIVE
Councillor	Wendy Hamilton	3	Clackmannanshire Central	SNP
Councillor	Scott Harrison	5	Clackmannanshire East	SNP
Councillor	Kathleen Martin	5	Clackmannanshire East	LABOUR
Councillor	Jane McTaggart	3	Clackmannanshire Central	SNP



**MINUTES OF MEETING of the REGULATORY COMMITTEE held in COUNCIL CHAMBERS,
Kilncraigs, Alloa on TUESDAY 24 SEPTEMBER 2024 at 9.30 AM**

PRESENT

Councillor Darren Lee (Chair)
Councillor Martha Benny
Councillor Kenneth Earle
Councillor Scott Harrison
Councillor Kathleen Martin (Teams)
Councillor Jane McTaggart

IN ATTENDANCE

Paul Fair, Civic Licensing Standards Officer (CLSO)
Lezli-Anne Sharp, Licensing Paralegal Administrator
Shaun Carrol, Licensing Paralegal
Lee Robertson, Senior Manager - Legal and Governance (Clerk to the Committee)
Gillian White, Committee Services, Legal and Governance
Melanie Moore, Committee Services, Legal and Governance (Minutes)

RC(24)22 APOLOGIES

Apologies for absence were received from Councillor Phil Fairlie and Councillor Wendy Hamilton

RC(24)23 DECLARATIONS OF INTERESTS

None.

RC(24)24 MINUTES OF REGULATORY COMMITTEE – 13 AUGUST 2024

The minutes of the meeting of the Regulatory Committee held on Tuesday 13 August 2024 were submitted for approval.

Decision

The minutes of the meeting of the Regulatory Committee held on Tuesday 13 August 2024 were agreed as a correct record and signed by the Chair.

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, and 6.

RC(24)25 APPLICATION FOR GRANT OF A TAXI DRIVER LICENCE

The Licensing Authority had received an application for the renewal of a Taxi Driver Licence from Mr John McDonald. Representations on the application had been received from the Civic Licensing Standards Officer (CLSO) and Police Scotland. Police Scotland also had an amended representation which was included in the agenda.

Attending

Mr John McDonald (Applicant)
Mr Paul Fair, Civic Licensing Standards Officer (CLSO)
Sergeant David Bellingham, Police Scotland

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

The Committee heard representation from the Civic Licensing Standards Officer (CLSO), Police Scotland; and the applicant; and had the opportunity to put questions to all.

Following questions, the Chair adjourned the meeting to consider the application (9.56am). The Committee resumed at 10.32am with 6 members present.

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 Taxi Drivers Licence with an additional condition to attend a Taxi Proficiency Course by the Blue Lamp Trust. The course should be booked within 3 months of this Committee and to complete the course within 6 months of this Committee. The Applicant is to provide evidence to the Civic Licensing Standards Officer once the course has been completed.

Moved by Councillor Scott Harrison. Seconded by Councillor Jane McTaggart.

Action

Clerk to the Committee

RC(24)26 APPLICATION FOR GRANT OF A TAXI DRIVER LICENCE

The Licensing Authority had received an application for the renewal of a Taxi Driver Licence from Mr Robert Stevenson. Representations on the application had been received from the Civic Licensing Standards Officer (CLSO) and Police Scotland.

Attending

Mr Robert Stevenson (Applicant)
Mr Paul Fair, Civic Licensing Standards Officer (CLSO)
Sergeant David Bellingham, Police Scotland

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

The Committee heard representation from the Civic Licensing Standards Officer (CLSO), Police Scotland; and the applicant; and had the opportunity to put questions to all.

Following questions, the Chair adjourned the meeting to consider the application (10.53am). The Committee resumed at 11.07am with 6 members present.

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 Taxi Drivers Licence with an additional condition to attend a Taxi Proficiency Course by the Blue Lamp Trust. The course should be booked within 3 months of this Committee and to complete the course within 6 months of this Committee. The Applicant is to provide evidence to the Civic Licensing Standards Officer once the course has been completed.

Moved by Councillor Scott Harrison. Seconded by Councillor Kenneth Earle.

Action

Clerk to the Committee

Ends 11.12 am

