



**Clackmannanshire
Council**

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Comhairle Siorrachd
Chlach Mhanann

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

Regulatory Committee

Tuesday 27 May 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.

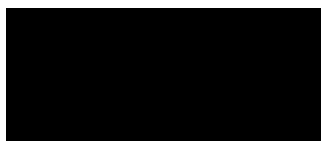
Members of the public are welcome to attend our Council and Committee meetings to see how decisions are made.

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.

16 May 2025

A MEETING of the REGULATORY COMMITTEE will be held VIA MS TEAMS on TUESDAY 27 MAY 2025 at 9.30 AM.



DALE BELL
Clerk to the Regulatory Committee

B U S I N E S S

	Page No.
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 28 January 2025 (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 (S Polley) - Application Form; and Representation from the Civic Licensing Standards Officer (Copies herewith)	09
5. Application for Renewal of Late Hours Catering Licence (T Healy) Application Form and Representation from Police Scotland (Copies herewith)	17

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 28 JANUARY 2025 at 9.30 AM**

PRESENT

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

IN ATTENDANCE

Paul Fair, Civic Licensing Standards Officer (CLSO)
Lezli-Anne Sharp, Licensing Paralegal Administrator
Shaun Carrol, Licensing Paralegal
Dale Bell, Solicitor, Legal and Governance (Depute Clerk to the Committee)
Gillian White, Committee Services, Legal and Governance
Melanie Moore, Committee Services, Legal and Governance (Minutes)

RC(25)01 APOLOGIES

Apologies for absence were received from Councillor Martha Benny and Councillor Kathleen Martin.

RC(25)02 DECLARATIONS OF INTERESTS

Councillor Harrison declared a non-financial interest in Item 5, Application for Grant of Taxi Driver Licence.

RC(25)03 MINUTES OF REGULATORY COMMITTEE – 24 SEPTEMBER 2024

The minutes of the meeting of the Regulatory Committee held on Tuesday 24 September 2024 were submitted for approval.

Decision

The minutes of the meeting of the Regulatory Committee held on Tuesday 24 September 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(25)04 APPLICATION FOR RENEWAL OF A TAXI DRIVER LICENCE

The Licensing Authority had received an application for the renewal of a Taxi Driver Licence from Mr Allan Hunter. Representation on the application had been received from the Civic Licensing Standards Officer (CLSO). No representation had been received from Police Scotland.

Attending

Mr Allan Hunter (Applicant)

Mr Paul Fair, 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; grant the licence subject to additional conditions; or refuse the application.

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

Following questions, the Chair adjourned the meeting to consider the application (9.44am). The Committee resumed at 9.47am with 5 members present.

Motion

Having considered all of the information presented to it and having had the opportunity for questions that the Committee grants the renewal application for a Taxi Drivers Licence.

Moved by Councillor Kenneth Earle. Seconded by Councillor Darren Lee.

Decision

Having considered all the information presented to it and having had the opportunity for questions, the Committee agreed unanimously to approve the renewal application for Taxi Drivers Licence.

Action

Depute Clerk to the Committee

Having declared a non-financial interest in Item 5, Application for Grant of Taxi Driver Licence, Councillor Harrison advised that as he knew the applicant, he would not participate in that Item of business and withdrew from the Chambers at that point in the proceedings (9.52 hours).

RC(25)05 APPLICATION FOR GRANT OF A TAXI DRIVER LICENCE

The Licensing Authority had received an application for a grant a Taxi Driver Licence from Mr Andrew Martin. Representation on the application had been received from the Civic Licensing Standards Officer (CLSO). No representation had been received from Police Scotland.

Attending

Mr Andrew Martin (Applicant)

Mr Paul Fair, 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; grant the licence subject to additional conditions; or refuse the application.

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

Following questions, the Chair adjourned the meeting to consider the application (10.00am). The Committee resumed at 10.14am with 4 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 that Mr Martin attends a meeting with the Licensing Team to review the Terms and Conditions of his licence and sign them to confirm that they have been read and understood.

Moved by Councillor Jane McTaggart. Seconded by Councillor Kenneth Earle.

Decision

Having considered all the information presented to it and having had the opportunity for questions, the Committee agreed unanimously to grant the application for Taxi Drivers Licence; with an additional condition that Mr Martin attends a meeting with the Licensing Team to review the Terms and Conditions of his licence and sign them to confirm that they have been read and understood.

Action

Depute Clerk to the Committee

Councillor Harrison returned to Chambers at 10.18 am for the remaining items of business.

RC(25)06 APPLICATION FOR GRANT OF A PRIVATE HIRE OPERATOR LICENCE

The Licensing Authority had received an application for the renewal of a Private Hire Operator Licence from Mr Greg Wardlaw. Representation on the application had been received from the Civic Licensing Standards Officer (CLSO). No representation had been received from Police Scotland.

Attending

Mr Kieren Ure (Applicants Representative)

Mr Paul Fair, Civic Licensing Standards Officer (CLSO)

The applicant was unable to attend Committee due to illness. Mr Kieren Ure attended in his absence.

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) and the applicant; and had the opportunity to put questions to both.

Following questions, the Chair adjourned the meeting to consider the application (10.29am). The Committee resumed at 10.34am with 5 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 Private Hire Operator Licence.

Moved by Councillor Phil Fairlie. Seconded by Councillor Scott Harrison.

Decision

Having considered all the information presented to it and having had the opportunity for questions, the Committee agreed unanimously to approve the renewal application for Private Hire Operator Licence.

Action

Depute Clerk to the Committee

Ends 10.37 am