



**MINUTES OF MEETING of the REGULATORY COMMITTEE held within the Council  
Chamber, Kilncraigs, Greenside Street, Alloa, FK10 1EB, on THURSDAY 30 MAY 2019  
at 1 PM.**

**PRESENT**

Councillor Donald Balsillie (Vice Convenor)  
Councillor Martha Benny  
Councillor Darren Lee  
Councillor Kathleen Martin  
Councillor Les Sharp

**IN ATTENDANCE**

Ian Doctor, Service Manager Regulation  
Paul Fair, Civic Licensing Standards Officer  
Anne McPherson, Business Support Officer  
Lindsay Thomson, Senior Manager Partnership and Performance (Clerk to the Committee)  
Melanie Moore, Committee Services

**RC(19)10 APOLOGIES**

Apologies for absence were received from Councillor Graham Lindsay, Councillor Chris Dixon and Councillor Kenneth Earle.

In the absence of the Convenor, Councillor Donald Balsillie as Vice Convenor would Chair the meeting.

**RC(19)11 DECLARATIONS OF INTERESTS**

None.

**RC(19)12 MINUTES OF MEETING: REGULATORY COMMITTEE 5 MARCH 2019**

The minutes of the meeting of the Regulatory Committee held on 5 March 2019 were submitted for approval.

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

**Decision**

The minutes of the meeting of the Regulatory Committee held on 5 March 2019 were agreed as a correct record and signed by the Vice Convenor.

The Vice Convenor advised that items 6,7 and 8 would be at the start of the agenda.

### **RC(19)13 APPLICATION FOR GRANT OF TAXI DRIVER'S LICENCE**

The report, submitted by the Regulatory Services Manager, asked the Committee to consider an application for the grant of a taxi driver's licence.

The Council's Scheme of Delegation allows the Head of Development and Environment Services to determine all applications for licences under the Civic Government (Scotland) Act 1982, except where there have been any objections or representations received from any party.

The Licensing Authority had received representations from the Civic Licensing Standards Officer (CLSO).

#### **Attending**

Mr Paul Fair, CLSO  
Mr Ross Wilson, Applicant  
Mr Bramley Eccles, Applicants Representative

The Committee heard representation from the CLSO, the Applicant and the Applicant's Representative. The Committee also had the opportunity to put questions to all parties.

Following questions, the Committee agreed to adjourn at this point in the proceedings (1:19 pm) to take legal advice. When the Committee resumed at 1:32 pm, 5 members remained present.

#### **Motion**

That the Committee agrees to grant the application for a Taxi Driver's Licence for a period of one year, subject to the condition that the applicant has a contract with Brams Taxis.

Moved by Councillor Les Sharp. Seconded by Councillor Kathleen Martin.

#### **Decision**

Having considered all of the information provided and the representations made, the Committee granted the application for a Taxi Driver's Licence for a period of one year, subject to the condition that the applicant is contracted with Brams Taxis.

#### **Action**

Regulatory Services Manager

The Convenor agreed to take item 8 as the next item.

### **RC(19)14 APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE**

A report which asked the Committee to consider an application for the renewal of a Taxi Driver's Licence was submitted by the Regulatory Services Manager. The Council's Scheme of Delegation allows the Head of Development and Environment Services to determine all applications for licences under the Civic Government (Scotland) Act 1982, except where there had been any objections or representations received from any party. The Licensing Authority had received a representation from the Council's Civic Licensing Standards Officer (CLSO) to the Licensing Authority.

#### **Attending**

Mr Paul Fair, CLSO  
Mr Owen McParland, Applicant

Ms Janene Milligan, Applicants Employee

The Committee heard representation from the CLSO, the Applicant and Applicant's Employee. The Committee also had the opportunity to put questions to all parties.

Following questions, the Committee agreed to adjourn at this point in the proceedings (1:45 pm) to take legal advice. When the Committee resumed at 2:00 pm, 5 members remained present.

### **Motion**

Having considered all the information set out in the report and the representation made, and having had the opportunity to put questions to all parties that the Committee grant the renewal with the same condition as before that the applicant undertakes and passes an advanced driver training course within 1 month.

Moved by Councillor Donald Balsillie. Seconded by Councillor Les Sharp.

### **Decision**

Having considered all the information provided and representations made, the Committee agreed unanimously to grant the applicant's application for renewal subject to the same condition as before the applicant undertakes and passes an advanced driver training course within 1 month.

### **Action**

Regulatory Services Manager

## **RC(19)15 APPLICATION FOR THE RENEWAL OF A TAXI DRIVER'S LICENCE**

A report which asked the Committee to consider an application for the renewal of a Taxi Driver's Licence was submitted by the Regulatory Services Manager. The Council's Scheme of Delegation allows the Head of Development and Environment Services to determine all applications for licences under the Civic Government (Scotland) Act 1982, except where there had been any objections or representations received from any party. The Licensing Authority had received a representation from the Council's Civic Licensing Standards Officer (CLSO) to the Licensing Authority.

### **Attending**

Mr Paul Fair, CLSO  
Ms Linzi Baird, Applicant  
Mr Colin Hood, Applicants Representative

The Committee heard representation from the CLSO, the applicant and the applicant's representative. The Committee also had the opportunity to put questions to all parties.

Following questions, the Committee agreed to adjourn at this point in the proceedings (2:15 pm) to take legal advice. When the Committee resumed at 2:19 pm, 5 members remained present.

### **Motion**

Having considered all the information set out in the report and the representation made, and having had the opportunity to put questions to all parties that the Committee grant the renewal with an additional condition that the applicant undertakes and passes an advanced driver training course within 3 months.

Moved by Councillor Les Sharp. Seconded by Councillor Martha Benny.

### **Decision**

Having considered all the information provided and representations made, the Committee agreed unanimously to grant the applicant's application for renewal subject to the additional condition the applicant undertakes and passes an advanced driver training course within 3 months.

### **Action**

Regulatory Services Manager

### **RC(19)16 APPLICATION FOR THE EXEMPTION FROM PRIVATE HIRE CAR OPERATOR AND STANDARD LICENCE CONDITIONS**

The report, submitted by the Regulatory Services Manager, presented an application from Chrystal Executive Travel, seeking exemption from Standard Condition 16(6), relating to the display of "Pre Booked Hire Only" door signs and private hire car vehicle plates. The vehicle is to be used exclusively as an executive chauffeur hire car.

### **Attending**

Mr Paul Fair, Civic Licensing Standards Officer  
Mr William Chrystal, Applicant

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

### **Motion**

That the Committee permits an exemption for Chrystal Executive Travel for their Private Hire Car from condition 16(6) relating to door signs and vehicle plates and attaches alternative conditions relative to its use only as an executive chauffeur driven car, as set out in Appendix A to the Civic Licensing Standards officer's report.

Moved by Councillor Donald Balsillie. Seconded by Councillor Les Sharp.

### **Decision**

The Committee agreed to permit an exemption for Chrystal Executive Travel for their Private Hire Care from condition 16(6) relating to door signs and vehicle plates and attaches alternative conditions relative to its use only as an executive chauffeur driven car, as set out in Appendix A to the Civic Licensing Standards officer's report, namely:

1. A record of all journeys/hires relating to the use of the licensed vehicle will be kept by the operator who must make these records available on request for inspection by the Civic Licensing Standards Officer, and authorised officer of the Licensing Authority or a Constable.
2. All arrangements made to hire the vehicle must be made in advance of the journey commencing. A minimum fare of £30 will be applied to any hire.
3. The gold rear plate supplied by the Licensing Authority must be securely and permanently fitted in such a position inside the rear luggage area of the vehicle so that it can be easily shown to the Civic Licensing Standards Officer, an authorised officer of the Licensing Authority or a Police Constable.

4. The gold front plate will be displayed at all times whilst the vehicle is being used as a private hire car in a position on the front nearside, lower portion of the front windscreen so that it is clearly visible and legible from the outside vehicle.

#### **Action**

Regulatory Services Manager

#### **RC(19)17 APPLICATION FOR THE EXEMPTION FROM PRIVATE HIRE CAR OPERATOR AND STANDARD LICENCE CONDITIONS**

The report, submitted by the Regulatory Services Manager, presented an application from WK Services Limited, seeking exemption from Standard Condition 16(6), relating to the display of "Pre Booked Hire Only" door signs and private hire car vehicle plates. The vehicle is to be used exclusively as an executive chauffeur hire car.

#### **Attending**

Mr Paul Fair, Civic Licensing Standards Officer  
The applicant did not attend

The Committee heard representation from the Civic Licensing Standards Officer and had opportunity to put questions to him.

#### **Motion**

That the Committee permits an exemption for WK Services for their Private Hire Car from condition 16(6) relating to door signs and vehicle plates and attaches alternative conditions relative to its use only as an executive chauffeur driven car, as set out in Appendix A to the Civic Licensing Standards officer's report.

Moved by Councillor Donald Balsillie. Seconded by Councillor Darren Lee.

#### **Decision**

The Committee agreed to permit an exemption for WK Services for their Private Hire Care from condition 16(6) relating to door signs and vehicle plates and attaches alternative conditions relative to its use only as an executive chauffeur driven car, as set out in Appendix A to the Civic Licensing Standards officer's report, namely:

1. A record of all journeys/hires relating to the use of the licensed vehicle will be kept by the operator who must make these records available on request for inspection by the Civic Licensing Standards Officer, and authorised officer of the Licensing Authority or a Constable.
2. All arrangements made to hire the vehicle must be made in advance of the journey commencing. A minimum fare of £30 will be applied to any hire.
3. The gold rear plate supplied by the Licensing Authority must be securely and permanently fitted in such a position inside the rear luggage area of the vehicle so that it can be easily shown to the Civic Licensing Standards Officer, an authorised officer of the Licensing Authority or a Police Constable.
4. The gold front plate will be displayed at all times whilst the vehicle is being used as a private hire car in a position on the front nearside, lower portion of the front windscreen so that it is clearly visible and legible from the outside vehicle.

#### **Action**

Regulatory Services Manager

**RC(19)18      VARIATION OF THE PUBLIC ENTERTAINMENT LICENCE RESOLUTION**

The report, submitted by the Regulatory Services Manager, sought approval for variation of the Public Entertainment Resolution issued under the Civic Government (Scotland) Act 1982. As the variation did not rescind or reduce the scope of the original Resolution it must come into effect on a date not less than nine months from the date the variation is made.

1. The report had a couple of typographical errors on page 57 which the Committee asked to be amended.

**Motion**

That the Committee approves the revised resolution at Appendix 1.

Moved by Councillor Donald Balsillie. Seconded by Councillor Les Sharp.

**Decision**

The Committee agreed to approve the revised resolution at Appendix 1.

**Action**

Regulatory Services Manager

Ends 2.35 pm