



**MINUTES OF MEETING of the REGULATORY COMMITTEE held via MS TEAMS on  
THURSDAY 27 JANUARY 2022 at 9.30 AM**

**PRESENT**

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

**IN ATTENDANCE**

June Andison, Licensing Administrator  
Lee Robertson, Senior Manager, Legal and Governance (Item 6)  
Richard Thompson, Solicitor, Legal and Governance (Clerk to the Committee)  
Gillian White, Committee Services, Legal and Governance

**RC(22)01 APOLOGIES**

Apologies for absence were received from Councillor Graham Lindsay (Convenor) and Councillor Kenneth Earle. In the absence of the Convenor, Vice Convenor, Councillor Donald Balsillie took the Chair.

**RC(22)02 DECLARATIONS OF INTERESTS**

None.

**RC(22)03 MINUTES OF MEETING: REGULATORY COMMITTEE –  
23 SEPTEMBER 2021**

The minutes of the meeting of the Regulatory Committee held on Thursday 23 September 2021 were submitted for approval.

**Decision**

The minutes of the meeting of the Regulatory Committee held on Thursday 23 September 2021 were agreed as a correct record and signed by the Vice Convenor.

**RC(22)04 APPLICATION FOR GRANT OF TAXI DRIVER'S LICENCE**

The Licensing Authority had received an application for grant of a taxi driver's licence from Ms Danielle Stephen. Representations 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 with conditions or to refuse the application.

**Attending**

Mr Paul Fair, Civic Licensing Standards Officer (CLSO)  
Sergeant Liam Livingstone, Police Scotland

Ms Danielle Stephen, Applicant

The Committee heard representation from the CLSO, Police Scotland and the Applicant. 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 grants the application for a Taxi Driver Licence with standard conditions.

Moved by Councillor Les Sharp. Seconded by Councillor Chris Dixon.

### **Decision**

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

### **Action**

Clerk to the Committee

## **RC(22)05      APPLICATION FOR THE GRANT OF TAXI DRIVER'S LICENCE**

The Licensing Authority had received an application to grant a taxi driver's licence from Mr David Muir. A representation had been received from the Civic Licensing Standards Officer (CLSO). No representation had been received from Police Scotland. The Committee were asked to consider all the information before them and having done so to determine whether to grant the licence with conditions or to refuse the application.

### **Attending**

Mr David Muir, Applicant  
Mr Bramley Eccles, Applicant's Representative  
Mr Paul Fair, CLSO

The Committee heard representation from all parties attending. The Committee then had the opportunity to put questions to them.

During questions to the applicant, Mr Muir's representative, Mr Eccles advised that the applicant had made application for and had successfully been granted a Taxi Driver's Licence from Stirling Council, shortly after being refused a licence by Clackmannanshire Council's Regulatory Committee on 27 October 2020. He advised that Mr Muir had provided Stirling Council with details of both his convictions and the refusal from Clackmannanshire Council.

### **Motion**

That the matter be deferred to allow for consultation with Stirling Council around the circumstances of their grant of a taxi drivers licence to Mr Muir.

Moved by Councillor Martha Benny. Seconded by Les Sharp.

### **Decision**

The Committee agreed to defer consideration of this item of business pending consultation with Stirling Council around the circumstances of their grant of a taxi drivers licence to Mr Muir.

The Committee further agreed that the item would be considered at a Special Meeting of the Regulatory Committee held solely for that purpose.

**Action**

Clerk to the Committee

**RC(22)06 BREACH OF LICENCE CONDITIONS, TAXI AND PRIVATE CAR DRIVER**

A referral in relation to a breach of the Licence Standard Conditions, Taxi and Private Hire Car Driver, was submitted by the Civic Licensing Standards Officer. The condition that had been breached was contained within Condition No. 4.1 of Clackmannanshire Council's Licence Standard Conditions (Taxi and Private Hire Driver). The referral asked that the Regulatory Committee consider the information contained in paragraphs 5-16 of the report, before coming to a decision as to what action, if any, should be taken against the licence holder.

**Attending**

Mr Robert Riddock, Applicant  
Mr Paul Fair, CLSO

The Committee heard representation from both parties attending. Mr Riddock also advised the Committee of his intention to retire in June 2022. The Committee then had the opportunity to put questions to both parties.

The Committee adjourned at 2.00 pm to take legal advice. When the meeting resumed at 2.14 pm, six members remained present.

**Motion**

That, having considered all the information provided and representations made, and having had the opportunity to put questions to both parties that the Committee revoke Mr Riddock's taxi driver licence as Mr Riddock is not a fit and proper person to hold such a licence.

Moved by Councillor Chris Dixon. Seconded by Councillor Martha Benny.

**Decision**

Having considered all the information provided and representations made, and having had the opportunity to put questions to both parties that the Committee revoke Mr Riddock's taxi driver licence as Mr Riddock is not a fit and proper person to hold such a licence.

The reasons for the decision were given as:

1. Mr Riddock has failed on 2 separate occasions within a relatively short period of time to comply with the Condition No. 4.1 of Clackmannanshire Council's Licence Standard Conditions (Taxi and Private Hire Driver); and
2. Mr Riddock has also been convicted of two separate offences in a 3 year period that are considered to be offences that have an impact on road safety.

**Action**

Clerk to the Committee

**RC(22)07      APPLICATIONS FOR THE RENEWAL OF LICENCES:  
PRIVATE HIRE OPERATOR LICENCE PH45  
TAXI OPERATORS LICENCE T44  
TAXI OPERATORS LICENCE T46**

The Licensing Authority had received applications for Renewal of Private Hire Operator Licence PH45; Taxi Operators Licence T44; and Taxi Operators Licence T46 from Ms Heather Buchan, Buchan Town Cars. Representations on the applications had been received from Police Scotland. No representations 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 licences with conditions or to refuse the applications.

The Vice-Convenor (Chair) advised the Committee that these three applications would be considered together.

**Attending**

Ms Heather Buchan, Buchan Town Cars, Applicant  
Mr Stanley Stewart, Buchan Town Cars  
Sergeant Liam Livingstone, Police Scotland

The Committee heard representation from all three parties attending. The Committee then had the opportunity to put questions to them.

The CLSO advised that he had made no report in relation to this matter as he had taken a view that it was the operator's licences that were before the Committee and that the matter raised by Police Scotland related to an action undertaken by an individual.

**Motion**

That, having considered all the information provided and representations made, and having had the opportunity to put questions to all parties that the Committee grant the applications for the renewal of Renewal of Private Hire Operator Licence PH45; Taxi Operators Licence T44; and Taxi Operators Licence T46.

Moved by Councillor Les Sharp. Seconded by Councillor Chris Dixon.

**Decision**

Having considered all the information provided and representations made, and having had the opportunity to put questions to all parties that the Committee grant the applications for the renewal of Renewal of Private Hire Operator Licence PH45; Taxi Operators Licence T44; and Taxi Operators Licence T46.

**Action**

Clerk to the Committee

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

**RC(22)08          EXEMPT MINUTES OF MEETING: REGULATORY COMMITTEE –  
23 SEPTEMBER 2021**

The exempt minutes of the meeting of the Regulatory Committee held on Thursday 23 September 2021 were submitted for approval.

**Decision**

The exempt minutes of the meeting of the Regulatory Committee held on Thursday 23 September 2021 were agreed as a correct record and signed by the Vice Convenor.

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**RC(22)09          REVIEW OF REGULATORY COMMITTEE PROCEDURE**

The Committee held a discussion, facilitated by Lee Robertson, Senior Manager – Legal and Governance which focussed on consideration of a review of the existing Regulatory Committee procedures; the timescale for change; and training for newly elected members following their election in May 2022.

**Decision**

The Committee agreed that the Committee procedures should be reviewed with the new Regulatory Committee members following the election in May 2022; and that the methodology used for training for these members should be considered and implemented.

**Action**

Lee Robertson, Senior Manager, Legal and Governance

Ends 3.20 pm

