



**MINUTES OF SPECIAL MEETING of the REGULATORY COMMITTEE held via MS  
TEAMS on WEDNESDAY 2 MARCH 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  
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 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, which had been considered at the meeting of the Regulatory Committee held on 27 January 2022. 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 conviction and the refusal from Clackmannanshire Council. On 27 January 2022, the Regulatory Committee agreed to defer consideration of the item of business pending consultation with Stirling Council around the circumstances of their grant of a taxi drivers licence to Mr Muir. It was agreed that a Special Meeting would be arranged to hear the deferred application.

A representation had been received from the Civic Licensing Standards Officer (CLSO) to the original application.. No representation had been received from Police Scotland. The CLSO submitted a further representation which set out the response from Stirling Council to his enquiries.

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.

### **Motion 1**

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 application for a Taxi Drivers Licence to Mr Muir, subject to conditions. The applicant is considered a fit and proper person as Mr Muir had properly declared his convictions within his application form; and that since his previous application in 2020 had gained no further convictions.

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

### **Motion 2**

That, having considered all the information provided and representations made, and having had the opportunity to put questions to all parties that the Committee refuse to grant the application for a Taxi Drivers Licence to Mr Muir. The applicant is not considered a fit and proper person as it has only been just over a year since the previous application was refused on the grounds of non-declaration of two speeding offences; and the nature of the speeding offences.

Moved by Councillor Chris Dixon. Seconded by Councillor Darren Lee.

### **Voting on Motion 2**

For the motion	2 votes
Against the motion	3 votes
Abstain from voting	1 abstention

On a division of 3 votes to 2 with 1 abstention, Motion 2 was defeated..

### **Voting on Motion 1**

For the motion	3 votes
Against the motion	2 votes
Abstain from voting	1 abstention

On a division of 3 votes to 2 with 1 abstention, Motion 1 was carried.

### **Decision**

That, having considered all the information provided and representations made, and having had the opportunity to put questions to all parties, on a division of 3 votes to 1 with 1 abstention, the Committee agreed to **GRANT** the application for a Taxi Drivers Licence to Mr Muir, subject to conditions. The Committee agreed that the applicant is considered a fit and proper person as Mr Muir had properly declared his convictions within his application form; and since his previous application in 2020 has gained no further convictions.

### **Action**

Clerk to the Committee

Ends 10.20 am