

Minute of Special Meeting Regulatory Functions Board

Date	Time	Venue
Wednesday, 07 August 2019	10:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

Present: Councillor Eddie Devine, Councillor Audrey Doig, Councillor Lisa-Marie Hughes, Councillor Cathy McEwan, Councillor John McNaughtan, Councillor Kevin Montgomery, Councillor Andy Steel, Councillor Jane Strang

Chair

Councillor McNaughtan, Convener, presided.

In Attendance

D Campbell, Assistant Managing Solicitor (Licensing), A McLaughlin, Senior Solicitor (Litigation and Regulatory Services), P Shiach, Committee Services Officer, N O'Brien, Assistant Committee Services Officer and N Barr, Administrative Assistant (all Finance & Resources).

Apologies

Councillors Mackay and Rodden.

Declarations of Interest

Councillor McNaughtan declared a non-financial interest in item 1 as he had prior knowledge of the applicant and indicated his intention to remain in the meeting and participate in any discussion or voting thereon.

Councillors Doig and Steel declared a non-financial interest in item 3(a) as the applicant was known to them and indicated both their intention to leave the meeting during consideration of this item and not to take part in any discussion or voting thereon.

Councillor Montgomery declared a non-financial interest in item 1 of the agenda as he had prior knowledge of the applicant and indicated his intention to leave the meeting during consideration of this item and not to take part in any discussion or voting thereon.

EXCLUSION OF PRESS AND PUBLIC

The Board resolved that the press and public be excluded from the meeting during consideration of the following items of business as it was likely, in view of the nature of the business to be transacted, that if members of the press and public were present there would be disclosure to them of exempt information as defined in paragraph(s) 3, 6 and 12 of part I of schedule 7A of the Local Government (Scotland) Act 1973.

Sederunt

Councillor Montgomery, having declared a non-financial interest in the following item of business, left the meeting and took no part in the discussion or voting thereon.

1 Appeal to the First-tier Tribunal for Scotland

- Information relating to any individual;
- Information relating to the financial or business affairs of any particular person (including the authority holding that information);

Sederunt

Councillor Montgomery re-entered the meeting prior to consideration of the following item of business.

2 Hearing into Possible Suspension or Revocation of Taxi Driver's Licence - Personal Appearance

The Board considered the possible suspension or revocation of the undernoted Taxi Driver's Licence. The licence holder had been asked to appear personally for the first time together with Police Scotland: -

Alan Kane T1571

There was no appearance by or on behalf of Mr Kane, the licence holder. Sergeant Singh, on behalf of the Chief Constable was invited into the meeting.

The Convener proposed that the application be considered in Mr Kane's absence and this was agreed unanimously. After consideration of all matters before the Board, the Convener proposed Mr Kane's Taxi Driver's Licence be suspended for the unexpired portion of the duration of the licence with immediate effect. This was agreed unanimously.

DECIDED: That Mr Kane's Taxi Driver's Licence be suspended for the unexpired portion of the duration of the licence with immediate effect.

Sederunt

Councillors Doig and Steel, having declared an interest in the following item of business left the meeting and took no part in the discussion or voting thereon.

3 Hearings into Possible Suspension or Revocation of Private Hire Car Drivers' Licences - Personal Appearances

The Board considered the possible suspension or revocation of the undernoted Private Hire Car Drivers' Licences. The licence holders had been asked to appear personally for the first time together with Police Scotland: -

(a) Colin Rae P0285

Mr Rae, the licence holder, was invited into the meeting together with Sergeant Singh, on behalf of the Chief Constable. After consideration of all matters before the Board, the Assistant Managing Solicitor (Licensing) asked Mr Rae if he wished to address the Board on any period of suspension the Board might impose on his licence prior to any motions being made in relation to his Private Hire Car Driver's Licence. Mr Rae then addressed the Board.

Following consideration of Mr Rae's submissions, the Board adjourned to allow members to consider this matter. The meeting reconvened and the Convener proposed that consideration of the possible suspension or revocation of the licence be continued, and that Mr Rae be invited to a future meeting of the Board pending an update from Police Scotland. This was agreed unanimously. Mr Rae would also be referred to Occupational Health for a further health assessment. This was agreed unanimously.

DECIDED: That Mr Rae be referred to Occupational Health for a health assessment and that consideration of the possible suspension or revocation of the licence be continued, and that Mr Rae be invited to a future meeting of the Board pending an update from Police Scotland.

Sederunt

Councillors Doig and Steel re-entered the meeting prior to consideration of the following item of business.

(b) Alisdair Connell P4755

Mr Connell, the licence holder and Mr McGarrell, friend was invited into the meeting together with Sergeant Singh, on behalf of the Chief Constable. After consideration of all matters before the Board, the Assistant Managing Solicitor (Licensing) asked Mr Connell if he wished to address the Board on any period of suspension the Board might impose on his licence prior to any motions being made in relation to his Taxi Driver's Licence. Mr Connell then addressed the Board.

Following consideration of Mr Connell's submissions, the Board adjourned to allow members to consider this matter. The meeting reconvened and the Convener proposed that consideration of the possible suspension or revocation of the licence be continued, and that Mr Connell be invited to a future meeting of the Board pending an update from Police Scotland. This was agreed unanimously.

DECIDED: That consideration of the possible suspension or revocation of the licence be continued, and that Mr Connell be invited to a future meeting of the Board pending an update from Police Scotland.