

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Thursday, 04 August 2022	10:00	Remotely by MS teams,

Present: Councillor Audrey Doig, Councillor Neill Graham, Councillor Lisa-Marie Hughes, Councillor Cathy McEwan, Councillor John McNaughtan, Councillor Sam Mullin

Chair

Councillor McNaughtan, Convener, presided.

In Attendance

D Campbell, Assistant Managing Solicitor (Licensing), P Shiach and E Gray Senior Committee Services Officers, D Cunningham, Assistant Committee Services Officer, K O'Neill, Assistant Democratic/Depute District Registration Services Officer, D Pole, End User Technician, A Easdon, Team Leader (Licensing) and R McCallum, Administrative Assistant (all Finance & Resources).

Recording of Meeting

Prior to the commencement of the meeting the Convener intimated that this meeting would be recorded for subsequent broadcast via the Council's internet site.

Apologies

Councillors Montgomery and Rodden.

Declarations of Interest

There were no declarations of interest intimated prior to commencement of the meeting.

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 3 of part I of schedule 7A of the Local Government (Scotland) Act 1973.

1 Hearings into Possible Suspension or Revocation of Taxi Operator's Licence and Taxi Driver's Licence - Personal Appearance

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

Mohamed Youssef TX212D and T0043.

Mr Youssef, the licence holder, joined the meeting by video call together with Inspector Christie, who also joined by video call on behalf of the Chief Constable. Mr Youssef indicated that his legal representative was not present at this time and requested that the hearing be continued to allow them to attend.

The Convener proposed that consideration of the possible suspension or revocation of Mr Youssef's licences be continued until later in the meeting to allow the licence holder's legal representative to be present. This was agreed unanimously.

DECIDED: That consideration of the possible suspension or revocation of Mr Youssef's licences be continued until later in the meeting to allow his legal representative to be present.

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

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

(a) Muhammad Rafique PH1574 and P5032

Mr Rafique, the licence holder, joined the meeting by video call, together with Inspector Christie, who also joined by video call, on behalf of the Chief Constable. After consideration of all matters before the Board, the Board adjourned to allow members to consider matters. The meeting was reconvened and the Convener proposed (i) that no action be taken in relation to Mr Rafique's Private Hire Car Operator's Licence, and (ii) that no action be taken in relation to Mr Rafique's Private Hire Car Driver's Licence. This was agreed unanimously.

DECIDED:

- (i) That no action be taken in relation to Mr Rafique's Private Hire Car Operator's Licence; and
- (ii) That no action be taken in relation to Mr Rafique's Private Hire Car Driver's Licence.

Adjournment

The Board adjourned at 10.45 am and reconvened at 10.55 am.

(b) Hamid Mahmood PH0737 and P0069

Mr Mahmood, the licence holder, and his Solicitor, Mr Bryson, both joined the meeting by video call, together with Inspector Christie, who also joined by video call, on behalf of the Chief Constable. After consideration of all matters before the Board, the Board adjourned to allow members to consider matters. The meeting was reconvened and the Convener proposed (i) that no action be taken in relation to Mr Mahmood's Private Hire Car Operator's Licence and (ii) that Mr Mahmood's Private Hire Car Driver's Licence be suspended for the unexpired portion of the duration of the licence with immediate effect. This was agreed unanimously.

DECIDED:

- (i) That no action be taken in relation to Mr Mahmood's Private Hire Car Operator's Licence; and
- (ii) That Mr Mahmood's Private Hire Car Driver's Licence be suspended for the unexpired portion of the duration of the licence with immediate effect.

3 Hearings into Possible Suspension or Revocation of Taxi Operator's Licence and Taxi Driver's Licence - Personal Appearance

Under reference to item 1 of this Minute, the Board resumed consideration of the possible suspension or revocation of the undernoted Taxi Operator's Licence and Taxi Driver's Licence. The licence holder had been asked to appear personally for the first time together with Police Scotland:-

Mohamed Youssef TX212D and T0043.

Mr Youssef, the licence holder, and his Solicitor, Ms Robertson, both joined the meeting by video call together with Inspector Christie, who also joined by video call, on behalf of the Chief Constable. After consideration of all matters before the Board, the Assistant Managing Solicitor (Licensing) asked Mr Youssef if he wished to address the Board on any penalty the Board might impose prior to any motions being made in relation to his Taxi Driver's Licence and Taxi Operator's Licence. Mr Youssef and Ms Robertson then addressed the Board.

Following consideration of submissions, the meeting adjourned to allow members to consider matters. The meeting was reconvened and the Convener proposed (i) that

Mr Youssef's Taxi Driver's Licence be suspended for the unexpired portion of the duration of the licence with immediate effect, and (ii) that Mr Youssef's Taxi Operator's Licence be suspended for the unexpired portion of the duration of the licence with immediate effect. This was agreed unanimously.

DECIDED:

- (a) That Mr Youssef's Taxi Driver's Licence be suspended for the unexpired portion of the duration of the licence with immediate effect; and
- (b) That Mr Youssef's Taxi Operator's Licence be suspended for the unexpired portion of the duration of the licence with immediate effect.