

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING  
COMMITTEE held in the COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD  
on WEDNESDAY, 22 APRIL 2015**

**Present:** Councillor Alex McNaughton (Chair)

Councillor Rory Colville	Councillor Donald MacMillan
Councillor Robin Currie	Councillor James McQueen
Councillor George Freeman	Councillor Sandy Taylor
Councillor Neil MacIntyre	Councillor Richard Trail
Councillor Robert G MacIntyre	

**Attending:** Charles Reppke, Head of Governance and Law  
Kate Connelly, Solicitor  
Sergeant D Ferguson, Police Scotland  
Mr J Brown, Licence Holder  
Mrs S Brown, Licence Holder's Wife

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were intimated from Councillors Gordon Blair, Mary-Jean Devon, David Kinniburgh, Roderick McCuish and Alistair MacDougall.

**2. DECLARATIONS OF INTEREST**

Councillor Neil MacIntyre declared a non financial interest in this case as family members are involved in the taxi business in the Oban area. He left the room and took no part in the consideration of this Hearing.

**3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: SUSPENSION HEARING - TAXI DRIVER'S LICENCE (J BROWN, OBAN)**

The Chair welcomed everyone to the meeting and introductions were made. He then invited the Head of Governance and Law to read out the procedure that would be followed.

**Police**

Sergeant Ferguson, on behalf of the Licensing Section of Police Scotland, read out a letter from the Chief Constable dated 6 March 2015 which requested the immediate suspension of Mr Brown's Taxi Driver Licence as the Chief Constable considered Mr Brown to no longer be a fit and proper person to be the holder of the licence as he had recently been convicted of drink driving, received a fine and had been disqualified from driving for three years.

Mr Brown confirmed he had no questions.

**Licence Holder**

Mr Brown stated that he did not deny he drove his car. He advised that he was not driving when approached by the Police and confirmed that the Police had come to his

door. He indicated that he was not on taxi duty at the time and acknowledged that it had been a stupid thing to do.

Sergeant Ferguson confirmed he had no questions.

### **Members' Questions**

Councillor Freeman asked Mr Brown if he agreed that he had been disqualified from driving for three years would not be able to drive.

Mr Brown confirmed that he did not contest that.

### **Summing Up**

#### Police

Sergeant Ferguson confirmed he had nothing further to say. He advised that the letter was self explanatory and that Mr Brown had been caught and the Chief Constable considered him not to be a fit and proper person to be the holder of a Taxi Driver Licence.

#### Licence Holder

Mr Brown confirmed that he was not contesting the suspension of his Taxi Driver Licence.

When asked both parties confirmed that they had received a fair hearing.

### **Decision**

The Committee agreed to suspend Mr Brown's Taxi Driver Licence immediately for the unexpired portion of the duration of the Licence as he was not a fit and proper person to be the holder of the Licence.

(Reference: Report by Head of Governance and Law, submitted)