

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE
held BY MICROSOFT TEAMS on WEDNESDAY, 22 JUNE 2022**

Present: Councillor Kieron Green (Chair)

Councillor John Armour	Councillor Willie Hume
Councillor Jan Brown	Councillor Mark Irvine
Councillor Audrey Forrest	Councillor Andrew Kain
Councillor Amanda Hampsey	Councillor Liz McCabe
Councillor Graham Hardie	Councillor Luna Martin
Councillor Fiona Howard	Councillor Peter Wallace

Attending: Patricia O'Neill, Governance Manager
Sheila MacFadyen, Senior Solicitor
Archibald Mathieson, Applicant

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillors Daniel Hampsey and Paul Kennedy.

2. DECLARATIONS OF INTEREST

Councillor John Armour declared a non-financial interest in this application as he knew the Applicant personally. He left the meeting and took no part in the determination of this application.

3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: APPLICATION FOR RENEWAL OF TAXI DRIVER LICENCE NUMBER 2810 (A MATHIESON, CAMPBELTOWN)

The Chair welcomed everyone to the meeting. In line with recent legislation for Civic Government Hearings, the parties (and any representatives) were given the options for participating in the meeting today. The options available were by video call, by audio call or by written submission. For this hearing the Applicant opted to proceed by way of audio call and joined the meeting by telephone.

The Chair then outlined the procedure that would be followed and invited the Applicant to speak in support of his application.

APPLICANT

Mr Mathieson referred to the points on his driving licence which were as a result of stupid, spur of the moment decisions. The first one related to using his mobile phone. He explained that he had lifted his mobile phone as he was coming out of his yard and was seen by the Police. The second incident related to him going through a red light. He explained that he was taking a passenger home and their child was upset in the back of the car. He advised that the road was clear and the house he was travelling to was in front of him beyond the lights and again he was seen by the Police. He acknowledges that he should not have done this. He advised that he relied on his licence for his livelihood and that his customers relied on him too. He referred to customers relying on him for runs to Glasgow if flights for the islands were cancelled. He said customers were

very limited with drivers prepared to travel to Glasgow. He advised that he really needed his licence and acknowledged that the incidents which took place should not have happened. He advised that the 6 points he received for using his mobile phone would come off his driving licence in 6 months time.

MEMBERS' QUESTIONS

Councillor Brown sought and received confirmation from Mr Mathieson that he was 60 years of age and had held a driving licence since he was 18 years old. He also confirmed that he had been driving taxis for 20 years.

Councillor Brown sought and received confirmation from Mr Mathieson that he previously had points on his driving licence for speeding.

Councillor Forrest sought and received confirmation from Mr Mathieson that he would never use his mobile phone again while driving and that he would not drive through a red light.

Councillor Green sought and received confirmation from Mrs MacFadyen that no representation had been received from Police Scotland in respect of this application. She said that Mr Mathieson had declared these fixed penalties on his application form.

SUMMING UP

Applicant

Mr Mathieson confirmed that he would never jump a red light again and would not use his mobile phone while driving. He said that he needed this licence as a lot of people relied on him. He referred to having school contracts and running his licence for the past 20 years.

When asked, Mr Mathieson confirmed that he had received a fair hearing.

DEBATE

DECISION

Councillor Irvine commented on Mr Mathieson being frank and open with the Committee and expressing remorse and abject horror for what he had done. He advised that he believed this was a genuine error of judgement and wished Mr Mathieson well going forward. He confirmed that he supported the renewal of this licence as there was a need for good hard workers and honest people.

Councillor McCabe said that she accepted what Mr Mathieson had said and that she also supported his application.

Councillor Hardie said he appreciated Mr Mathieson's honesty in declaring these offences on his application form. He commended Mr Mathieson for that and confirmed that he would support his application.

Councillor Hampsey also commended Mr Mathieson for his honesty and advised that she would support this application going forward. She said she believed Mr Mathieson was

very remorseful for what he had done and that she highly doubted these incidents would happen again. She said she was happy to take his word on that.

Councillor Hume said he fully supported this application.

Councillor Howard advised that she had no worries about this application.

Councillor Green said he valued being able to hear from the Applicant today. He advised that Mr Mathieson had presented himself very well and that he had no problem with renewing this licence.

Decision

The Committee unanimously agreed to grant the renewal of Mr Mathieson's Taxi Driver Licence (No. 2810) and noted that he would receive written confirmation of this from Legal Services within 7 days.

(Reference: Report by Head of Legal and Regulatory Support, submitted)