

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE
held BY MICROSOFT TEAMS on WEDNESDAY, 28 SEPTEMBER 2022**

Present: Councillor Kieron Green (Chair)

Councillor John Armour	Councillor Mark Irvine
Councillor Jan Brown	Councillor Andrew Kain
Councillor Amanda Hampsey	Councillor Liz McCabe
Councillor Graham Hardie	Councillor Peter Wallace
Councillor Fiona Howard	

Attending: Stuart McLean, Committee Manager
Sheila MacFadyen, Senior Solicitor
Fiona Macdonald, Solicitor
Sgt David Holmes, Police Scotland

1. APOLOGIES FOR ABSENCE

Apologies were received from Councillors Audrey Forrest, Daniel Hampsey and Paul Kennedy.

2. DECLARATIONS OF INTEREST

Councillor John Armour declared a non-financial interest in this case as the Licence Holder was a neighbour. Councillor Armour left the meeting and took no part in this hearing.

The Committee resolved in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 to exclude the press and public for the following item of business on the grounds that it was likely to involve the disclosure of exempt information as defined in Paragraphs 3 and 14 of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973.

3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: REQUEST FOR SUSPENSION OF TAXI DRIVER LICENCE (NUMBER 5680) (S MATHIESON, DRUMLEMBLE, 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 Police Scotland opted to proceed by way of audio call and Sgt David Holmes joined the meeting by telephone.

It was noted that the Licence Holder was not present. The Council's Solicitor explained that it would be competent for the Committee to proceed with this interim hearing and consider the request for the immediate suspension of the Taxi Driver Licence.

The Committee agreed to proceed with the hearing and the Chair, having previously outlined the procedure that would be followed, invited Police Scotland to speak in support of the Chief Constable's complaint.

POLICE SCOTLAND

Sgt Holmes read out the contents of a letter from the Chief Constable dated 11 August 2022 which requested the immediate suspension of the licence and outlined the reasons for this.

MEMBERS' QUESTIONS

The Members were given the opportunity to ask Sgt Holmes questions.

SUMMING UP

Police Scotland

Sgt Holmes advised that he had nothing further to add and confirmed that he had received a fair hearing.

DEBATE

The Members of the Committee debated the request to suspend the Taxi Driver Licence.

DECISION

The Committee unanimously agreed to the immediate interim suspension of the Taxi Driver Licence pending a full suspension hearing taking place no later than 6 weeks from the date of this hearing.

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