

MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE
held in the COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD
on WEDNESDAY, 17 APRIL 2013

Present: Councillor Sandy Taylor (Chair)

Councillor Robin Currie	Councillor Alistair MacDougall
Councillor Mary-Jean Devon	Councillor Donald MacMillan
Councillor George Freeman	Councillor Alex McNaughton
Councillor Fred Hall	Councillor James McQueen
Councillor David Kinniburgh	Councillor Richard Trail

Attending: Charles Reppke, Head of Governance and Law
Patricia O'Neill, Central Governance Manager
Graeme Forrester, Solicitor
Inspector McLeish, Police Scotland
Mr MacDougall, Applicant
Mrs MacDougall, Applicant's Wife

1. APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Gordon Blair, Councillor Rory Colville and Councillor Iain MacDonald.

2. DECLARATIONS OF INTEREST

There were no declarations of interest intimated.

3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: APPLICATION FOR GRANT OF TAXI DRIVER'S LICENCE (D MACDOUGALL, OBAN)

The Chair welcomed all those present to the meeting and introductions were made. He outlined the procedure that would be followed during the hearing and invited the applicant to speak in support of his application.

Mr MacDougall advised that he had submitted a previous application to be a taxi driver and this had been refused due to his convictions. He advised that he had not now been in any sort of trouble for more than 13 years and was now married with a family.

Inspector McLeish had no questions for the applicant. The Chair invited Inspector McLeish to speak on behalf of the representation made by the Police.

Inspector McLeish advised that the representation made by the Police was due to the high volume and variety of offences that had taken place over a 15 year period. She added that the Police did appreciate there had been no incidents for the past 13 years but there were still concerns over Mr MacDougall's suitability as a taxi driver.

Mr MacDougall had no questions for Inspector McLeish.

The Chair invited Members to ask questions of the applicant and the Police.

Councillor Trail asked the applicant if the previous application he had made was with Argyll and Bute, when it was made and why it had not been granted. Mr MacDougall responded by saying that the previous application had been made through Argyll and Bute Council three years previous and had been refused due to his convictions.

Mr Reppke advised that the application had actually been submitted in 2007 which was 6 years ago.

The Chair invited Inspector McLeish to sum up.

Inspector McLeish advised she had no more to add. She advised that the representation was due to the high volume and variety of convictions and therefore the Police had concerns over Mr MacDougall's suitability as a taxi driver.

The Chair invited Mr MacDougall to sum up.

Mr MacDougall advised that he had now been out of trouble for 13 years; he advised that he now had a family and was a grandfather. Mrs MacDougall added that when the offences had taken place Mr MacDougall had been going through a bad time due to the loss of a child at 8 months old.

The Chair asked both parties to confirm that they had received a fair hearing to which they confirmed that they had.

The Chair invited Members to debate the application.

Councillor Freeman advised that although Mr MacDougall had a horrendous record he could see an improvement over 13 years. He added that he could see why the application may have been refused 6 years previously but that he had no concerns over granting the licence given the time now since the offences had taken place. Councillor Hall agreed.

Decision

The Committee agreed to grant Mr MacDougall a taxi driver's licence.

(Reference: Report by Head of Governance and Law dated April 2013, submitted)