

**MINUTES of MEETING of PLANNING, PROTECTIVE SERVICES AND LICENSING COMMITTEE  
held in the COUNCIL CHAMBERS, KILMORY, LOCHGILPHEAD  
on WEDNESDAY, 20 FEBRUARY 2013**

**Present:** Councillor Sandy Taylor (Chair)

Councillor David Kinniburgh                      Councillor Alex McNaughton  
Councillor Alistair MacDougall                  Councillor James McQueen  
Councillor Robert G MacIntyre                  Councillor Richard Trail  
Councillor Donald MacMillan

**Attending:** Charles Reppke, Head of Governance and Law  
Graeme Forrester, Solicitor  
Jane MacLeod, Applicant's Representative  
Inspector Watson, Strathclyde Police  
Heather Murray, Strathclyde Police

**1. APOLOGIES FOR ABSENCE**

Apologies for absence were intimated from Councillors Gordon Blair, Rory Colville, Robin Currie, Mary-Jean Devon, George Freeman and Fred Hall.

**2. DECLARATIONS OF INTEREST**

None declared.

**3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: APPLICATION FOR GRANT OF TAXI DRIVER'S LICENCE (D LAIRD, KINGARTH, ISLE OF BUTE)**

The Chair welcomed everyone to the meeting and invited the Applicant's Agent to speak in support of this Application.

**Applicant**

Mrs MacLeod apologised on behalf of Mr Laird for the incident which took place in 2008 and for the misunderstanding on the part of Mr Laird when completing his application form which he genuinely felt he had completed correctly. She advised that she was satisfied by the fact that Mr Laird has been found to be a fit and proper person to hold a Taxi Operator's Licence and advised that Mr Laird was a fit and proper person to hold at Taxi Driver's Licence. She advised that Mr Laird has worked all his days, he was born in Dunoon and educated on the mainland and that he was committed to life in Argyll and Bute. She advised that this was a minor blemish on his character which he would like to put behind him.

As Inspector Watson had no questions the Chair invited him to speak in support of the Police objection.

**Police**

Inspector Watson advised that in summary the reasons for the objection were the same as for the Taxi Operator's Licence and confirmed that the Police were

not recommending that Mr Laird be granted a Taxi Driver's Licence.

As Mrs MacLeod and the Members had no questions the Chair invited Inspector Watson and Mrs MacLeod to sum up.

## **Summing Up**

### Police

Inspector Watson advised that he was here on behalf of the Area Inspector for Rothesay who did not recommend that the Taxi Driver's Licence be granted to Mr Laird.

### Applicant

Mrs MacLeod advised that if Mr Laird was good enough to be granted a Taxi Operator's Licence he was good enough to be granted a Taxi Driver's Licence.

The Chair asked Mrs MacLeod and Inspector Watson to confirm they had received a fair hearing and they both confirmed this to be the case.

## **Debate**

Councillor Kinniburgh advised that given his views on the granting of the Taxi Operator's Licence, his views on the granting of a Taxi Driver's Licence were the same and that Mr Laird was not a fit and proper person to hold a Taxi Driver's Licence. He advised that this was not a minor incident and was not minor for a taxi driver.

## **Motion**

That Mr Laird was not a fit and proper person to hold a Taxi Driver's Licence and that his application should be refused.

Moved by Councillor David Kinniburgh, seconded by Councillor Richard Trail.

## **Amendment**

That Mr Laird was a fit and proper person and to grant him a Taxi Driver's Licence for a period of 12 months.

Moved by Councillor Alex McNaughton, seconded by Councillor Donald MacMillan.

The Amendment was carried by 5 votes to 3 and the Committee resolved accordingly.

## **Decision**

To grant Mr Laird a Taxi Driver's Licence for a period of 12 months.

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