

GENERAL PURPOSES BOARD - 14 OCTOBER 2009

General Purposes BoardWednesday 14 October 2009 at 3 pm

Present: Councillors Ahlfeld, Blair (for Fyfe), Brooks, Dorrian, Grieve, MacLeod, McCallum, McIlwee, McKenzie, Moran and Rebecchi.

Chair: Councillor Ahlfeld presided.

In attendance: Mr H McNeilly (for Head of Legal & Administration).

The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Board.

636 Application for Taxi Licence: Paul McDermott 636

There was submitted a report by the Head of Legal & Administration advising that Mr McDermott had omitted to make timeous application for his licence to be renewed before it expired but it had been dealt with using the procedure for the exercise of powers delegated to the Chief Executive for use between the Committees and it had been agreed to authorise the grant of the Taxi Licence to Mr McDermott.

Noted

637 Taxi Fares Review 2009 637

There was submitted a report by the Head of Legal & Administration asking the Board to determine the taxi fare scales and charges following the annual review. A number of objections to the proposals had been received and the Board heard Mr Paul Travers, one of the objectors.

Councillor MacLeod moved that there be an additional charge of £1 for any amount of passengers after the first four. As an amendment Councillor McCallum moved no change to the existing tariff. As a further amendment Councillor Moran moved that there be an additional charge of £1 per passenger after the first four.

On a vote being taken between the two amendments 6 Members voted for the first amendment and 1 for the second amendment.

On a further vote being taken 2 Members voted for the motion and 6 for the first amendment which was declared carried.

Decided: that there be no change to the existing tariff.

638 Driving Standards Agency Taxi Driver Test 638

There was submitted a report by the Head of Legal & Administration on the possible introduction of a requirement for taxi drivers to pass the Driving Standards Agency Taxi Driver Test.

Decided: that the requirement for all taxi drivers and drivers of private hire vehicles to pass the Driving Standards Agency Taxi Driver Test not be introduced at this time.

It was agreed in terms of Section 50(A)(4) of the Local Government (Scotland) Act

GENERAL PURPOSES BOARD - 14 OCTOBER 2009

1973 as amended that the public and press be excluded from the meeting during consideration of the following items on the grounds that the business involved the likely disclosure of exempt information as defined in Paragraph 6 of Part I of Schedule 7(A) of the Act.

- 639 Application for Renewal of Taxi Operator's Licence: Ian Ellis 639**
- There was submitted a report by the Head of Legal & Administration on an application for renewal of Taxi Operator's Licence by Mr Ian Ellis following receipt of an observation by the Chief Constable. The Board heard Constable Gailey, Mr Robert Mitchell of Todd & Mitchell, Solicitors and Mr Ellis.
- Decided:** that the application be granted.
- 640 Application for Taxi Driver's Licence: John Cummings 640**
- There was submitted a report by the Head of Legal & Administration on an application for Taxi Driver's Licence by Mr John Cummings following receipt of an objection by the Chief Constable.
- Decided:** that the application be refused.
- 641 Application for Taxi Driver's Licence: Simon Burnside 641**
- Councillor Grieve declared a non financial interest by virtue of personal acquaintance with the applicant and left the meeting.
- There was submitted a report by the Head of Legal & Administration on an application for Taxi Driver's Licence by Mr Simon Burnside following receipt of an observation by the Chief Constable. At its meeting on 9 September 2009 the Board had decided to continue consideration of the application to allow Mr Burnside to be in attendance. The Board heard Constable Gailey and Mr Burnside.
- Decided:** that the application be granted.
- Councillor Grieve returned to the meeting at the conclusion of this item.
- 642 Application for Taxi Driver's Licence: Steven John Scott 642**
- There was submitted a report by the Head of Legal & Administration on an application for a Taxi Driver's Licence by Mr Steven John Scott following receipt of an objection by the Chief Constable. At its meeting on 9 September 2009 the Board had decided to continue consideration of the application to allow Mr Scott to be in attendance.
- Decided:** that the application be continued to the next meeting of the Board to allow Mr Scott to be represented.
- 643 Application for Renewal of Taxi Driver's Licence: John Buchan 643**
- Councillor McCallum declared a non financial interest by virtue of personal acquaintance with the applicant and left the meeting.
- There was submitted a report by the Head of Legal & Administration on an application for renewal of Taxi Driver's Licence by Mr John Buchan following receipt of a representation from the Chief Constable. The Board heard Constable Gailey and Mr Buchan.
- Decided:** that the application be granted.
- Councillor McCallum returned to the meeting at the conclusion of this item.
- 644 Request for Suspension of Taxi Driver's Licence: William Smiley 644**

GENERAL PURPOSES BOARD - 14 OCTOBER 2009

There was submitted a report by the Head of Legal & Administration on the possible suspension of Mr Smiley's Taxi Driver's Licence on the ground that he was no longer a fit and proper person to hold such a licence by virtue of the conduct described in the report. The Board heard Mr John Cushnaghan, Mr Smiley and Mr Gallagher of Gordon Ritchie & Co, Solicitors.

Councillor Moran left the meeting during this item.

Decided:

- (1) that the licence not be suspended; and
- (2) that it be remitted to Mr McNeilly to report back to the Board in three months.

645 Request for Suspension of Taxi Driver's Licence: Colin Baxter

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There was submitted a report by the Head of Legal & Administration on the possible suspension of Mr Baxter's Taxi Driver's Licence on the ground that he was no longer a fit and proper person to hold such a licence by virtue of the conduct described in the report. The Board heard Mr John Cushnaghan and Mr Cunningham of Blair & Bryden, Solicitors.

Decided:

- (1) that the licence not be suspended; and
- (2) that it be remitted to Mr McNeilly to report back to the Board in three months.

646 Request for Suspension of Taxi Driver's Licence: Christopher McCartney

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There was submitted a report by the Head of Legal & Administration on the possible suspension of Mr McCartney's Taxi Driver's Licence on the ground that he was no longer a fit and proper person to hold such a licence by virtue of the conduct described in the report. The Board heard Mr John Cushnaghan and Mr Norman Cunningham of Blair & Bryden, Solicitors.

Decided: that the licence be suspended with immediate effect for one month.

647 Request for Suspension of Taxi Driver's Licence: Paul Hannah

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There was submitted a report by the Head of Legal & Administration requesting the Board to consider whether or not to continue the suspension of Mr Hannah's licence. Mr Hannah's licence had been suspended for a period of three months on 24 July 2009. The Board heard Constable Gailey.

Decided: that the licence be suspended for a further three months.

648 Request for Suspension of Second Hand Dealer's Licence: Andrew Galbraith

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There was submitted a report by the Head of Legal & Administration on the possible suspension of Mr Galbraith's Second Hand Dealer's Licence on the ground that he was no longer a fit and proper person to hold such a licence by virtue of the conduct described in the report. At its meeting on 12 August 2009 the Board had decided to continue consideration of the request to allow Mr Galbraith to be in attendance.

Decided: that the licence be continued to the next meeting of the Board to allow Mr Galbraith to be in attendance.