

MORAY COUNCIL

Minute of Meeting of the Licensing Committee

Wednesday, 17 April 2019

Council Chambers, Council Office, High Street, Elgin, IV30 1BX

PRESENT

Councillor James Allan, Councillor Theresa Coull, Councillor Gordon Cowie, Councillor Paula Coy, Councillor John Divers, Councillor Ryan Edwards, Councillor Donald Gatt, Councillor Louise Laing, Councillor Marc Macrae, Councillor Aaron McLean, Councillor Maria McLean, Councillor Ron Shepherd, Councillor Amy Taylor

APOLOGIES

IN ATTENDANCE

Also in attendance at the above meeting were Police Constable Ray Walker on behalf of Police Scotland, Sean Hoath, Senior Solicitor and Tracey Sutherland, Committee Services Officer.

1. Chair

The meeting was chaired by Councillor Amy Taylor.

2. Declaration of Group Decisions and Members Interests *

In terms of Standing Order 20 and the Councillor's Code of Conduct there were no declarations from group leaders or spokespersons in regards to any prior decisions taken on how Members will vote on any item on the agenda. Councillor A Mclean declared an interest in respect of item 8 on the agenda and would leave the meeting at the end of item 7.

3. Minute of the Meeting on 20 February 2019

The minute of the meeting of the Licensing Committee dated 20 February 2019 was submitted and approved.

4. Written Questions **

The Committee noted that no written questions had been submitted.

5. Application for Taxi Driver Licence TD-19-002

A report by the Corporate Director (Corporate Services) invited the Committee to

consider an application for the grant of a taxi driver licence received on 17 January 2019.

The Committee noted that the applicant was in attendance. The Chief Constable of Police Scotland was represented by Constable Ray Walker, Police Scotland.

Police Constable Walker, Police Scotland addressed the Committee.

The Applicant addressed the Committee and responded to questions raised by the Committee.

Following consideration, the Chair asked the applicant and Police Constable Walker if they were happy with the proceedings and if they felt they had received a fair hearing.

The applicant and Police Constable Walker advised that they were both happy with proceedings and confirmed that they felt they had received a fair hearing.

Councillor Shepherd, seconded by Councillor Macrae moved to grant the application for a Taxi Driver Licence in respect of Case No. TD-19-002.

Councillor Coy proposed an amendment to refuse the application for a Taxi Driver Licence as she was satisfied that the applicant was not a fit and proper person to hold a taxi driver licence having regard to the evidence presented. Therefore a ground for refusal existed and the Committee was obliged to refuse. This was seconded by Councillor Divers.

On the division there voted:

For the Motion (10)	Councillors Shepherd, Macrae, Allan, Coull, Cowie, Edwards, Gatt, A McLean, M McLean and Taylor
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For the Amendment (3) Councillors Coy, Divers and Laing

Abstentions (0)

Accordingly the motion became the finding of the meeting and Committee agreed to grant the application for a Taxi Driver Licence in respect of application TD-19/002.

6. Question Time ***

There were no further questions.

Councillor A McLean left the meeting at this juncture after having declared an interest in Item 8 on the agenda.

7. Application for Taxi Driver Licence - TD-19-003

A report by the Corporate Director (Corporate Services) invited the Committee to consider an application for the grant of a taxi driver licence received on 13 February 2019.

The Committee noted that the applicant was in attendance. The Chief Constable of Police Scotland was represented by Constable Ray Walker, Police Scotland.

Police Constable Walker, Police Scotland addressed the Committee.

The Applicant addressed the Committee and responded to questions raised by the Committee.

Following consideration, the Chair asked the applicant and Police Constable Walker if they were happy with the proceedings and if they felt they had received a fair hearing.

The applicant and Police Constable Walker advised that they were both happy with proceedings and confirmed that they felt they had received a fair hearing.

Councillor Macrae, seconded by Councillor M Mclean moved to grant the application for a Taxi Driver Licence in respect of Case No. TD-19-003.

Councillor Coy proposed an amendment to refuse the application for a Taxi Driver Licence as she was satisfied that the applicant was not a fit and proper person to hold a taxi driver licence having regard to the evidence presented. Therefore a ground for refusal existed and the Committee was obliged to refuse. This was seconded by Councillor Laing.

On the division there voted:

For the Motion (9)	Councillors Macrae, M McLean, Allan, Coull, Cowie, Edwards, Gatt, Shepherd and Taylor
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For the Amendment (3) Councillors Coy, Divers and Laing

Abstentions (0)

Accordingly the motion became the finding of the meeting and Committee agreed to grant the application for a Taxi Driver Licence in respect of application TD-19-003.