

11 January 2022 at 10am.

A Remote Special Meeting of the **REGULATORY COMMITTEE**

PRESENT

Councillor Shevlin, Convener; Councillor Gourlay, Vice-Convener; Councillors Barclay, Docherty, McLaren, Pettigrew, Quigley, Alan Valentine, Watson and Weir.

CHAIR

Councillor Shevlin (Convener) presided.

IN ATTENDANCE

The Principal Solicitor (Regulation and Governance); Solicitor (Licensing), and Administrative Officer, Legal and Democratic Solutions.

ALSO IN ATTENDANCE

Inspector Rae, Police Scotland.

Civic Licensing Standards Officer, Legal and Democratic Solutions.

APOLOGIES

Councillors Castles and Doolan.

DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000

1. Councillor Barclay, by virtue of the Licence holder being known to her, declared an interest in paragraph 2, and left the meeting during consideration of this item.

It was agreed, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the public be excluded from the meeting for the following item on the grounds that the business involved the likely disclosure of exempt information as defined in paragraphs 3 and 6 of Part 1 of Schedule 7A of the Act.

HEARING

Councillor Barclay, prior to the consideration of the following item of business, having declared an interest by virtue of the Licence holder being known to her, left the meeting during consideration of this item.

PRIVATE HIRE DRIVER'S LICENCE AND PRIVATE HIRE CAR OPERATOR'S LICENCE – COMPLAINT – DAVID ROBERT BROWN

2. With reference to paragraph 5 of the Minute of the meeting of this Committee held on 7 December 2021, the Principal Solicitor advised that, in terms of paragraph 12(5) of Schedule 1 of the Civic Government (Scotland) Act 1982, further consideration required to be given to the matter in terms of paragraph 11 of the aforementioned Schedule and Act. There was submitted (1) a complaint received from the Chief Constable, Police Scotland, relative to David Robert Brown, who currently held a Private Hire Driver's Licence and a Private Hire Car Operator's Licence; (2) a copy of David Robert Brown's

Private Hire Driver's Licence, and (3) a copy of David Robert Brown's Private Hire Car Operator's Licence.

The Administrative Officer then indicated that David Robert Brown was not in attendance.

The Principal Solicitor then advised that attempts to contact David Robert Brown had been unsuccessful.

The Committee then heard Inspector Rae advise that, given the circumstances, she would prefer that consideration of the complaint proceed in David Robert Brown's absence.

Thereafter, the Committee determined that consideration of the matter should proceed in David Robert Brown's absence.

The Committee then heard Inspector Rae outline the Chief Constable's complaint.

Thereafter, the Civic Licensing Standards Officer and the representative of Police Scotland withdrew from the meeting and the Committee resumed consideration of the matter.

The Civic Licensing Standards Officer and the representative of Police Scotland were then re-admitted to the meeting.

The Committee, having determined that the complaint by the Chief Constable, relative to David Robert Brown, be upheld, then heard Inspector Rae request that, given the serious nature of the complaint, that David Robert Brown's Private Hire Driver's Licence and Private Hire Car Operator's Licence be suspended for the unexpired duration of each licence.

Thereafter, the Civic Licensing Standards Officer and the representative of Police Scotland withdrew from the meeting and the Committee resumed consideration of the matter.

The Civic Licensing Standards Officer and the representative of Police Scotland were then re-admitted to the meeting.

Decided: that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, the complaint by the Chief Constable, relative to David Robert Brown, firstly be upheld, and secondly, that his Private Hire Driver's Licence and Private Hire Car Operator's Licence be suspended, with immediate effect, for the unexpired duration of each licence.