

## Minute of Meeting

### Regulatory Functions Board

Date	Time	Venue
Wednesday, 17 May 2023	10:00	Remotely by MS Teams,

**Present:** Councillor Audrey Doig, Councillor Neill Graham, Councillor Lisa-Marie Hughes, Councillor Janis McDonald, Councillor Cathy McEwan, Councillor John McNaughtan, Councillor Sam Mullin, Councillor Andy Steel

#### Chair

Councillor McNaughtan, Convener, presided.

#### In Attendance

D Campbell, Assistant Managing Solicitor (Licensing) (Item 1 only), R Graham, Senior Solicitor (Litigation and Regulatory Services), C Gregory and E Timmins (both Senior Solicitors, Litigation and Advice), P Shiach, Senior Committee Services Officer, D Cunningham, Assistant Committee Services Officer, A Easdon, Team Leader (Licensing), R McCallum, Administrative Assistant and D Pole, End User Technician (all Finance & Resources) and S McFarlane, C Young and R Wilson (Fair Trading & Licensing Officers) (all Communities Housing and Infrastructure).

#### Recording of Meeting

Prior to the commencement of the meeting, the Convener intimated that this meeting would be recorded for subsequent broadcast via the Council's internet site.

#### Apology

Councillor Montgomery.

#### Declarations of Interest

There were no declarations of interest intimated prior to the commencement of the meeting.

# 1 **Civic Government (Scotland) Act 1982: Review of Taxi Fares within Renfrewshire**

Under reference to item 2 of the Minute of the meeting of this Board held on 2 February 2023 there was submitted a report by the Director of Finance & Resources relative to the review of taxi fares within Renfrewshire.

The report advised that at that meeting the Board agreed, after considering responses to an initial consultation, to advertise a proposal to fix a new fare scale. The agreed proposal involved: an increase to the minimum fare (or “Flag Fall”) from £3.45 to £3.90; an increase in the additional distance charge, by retaining the unit charge of 30p but changing the measure of distance from 315 yards to 309 yards; and an increase to the waiting charge (based on a period of 2 minutes, or part thereof) from 36p to 40p. The Board agreed that the proposed scale would be advertised, allowing representations to be made within one month.

The Board had previously agreed that the proposed fare scale would come into effect from 10 July 2023. The Board also agreed that a report would be submitted to a future meeting of the Board to allow a taxi fare scale to be fixed.

The report intimated that an advertisement detailing the proposal had been advertised in the press on 17 February 2023 and provided that any person wishing to make representations on the proposal must do so in writing no later than 17 March 2023. The advertised proposal was attached at Appendix 1 to this report. The procedure followed was set out in Section 17 of the Civic Government (Scotland) Act 1982, as amended (“the Act”).

The report advised that in response to the advertisement, three parties had made representations and these were detailed at paragraphs 1.5.1 to 1.5.3 of the report and Appendix 3 to the report. The Board now required to fix a taxi fare scale for Renfrewshire. The Board was also required, under the Act, to determine a date for the scale to come into effect. It was recommended that the scale come into effect on 10 July 2023, as previously proposed by the Board.

The Convener proposed that as a new fares scale for Renfrewshire, the advertised proposal detailed in paragraph 1.2 and Appendix 1 of the report be approved subject to the pick up and drop off charge at Glasgow Airport being increased from £4 to £5 and that the recommendations in the report be otherwise agreed. This was agreed unanimously.

## **DECIDED:**

(a) That as a new fares scale for Renfrewshire, the advertised proposal detailed in paragraph 1.2 and Appendix 1 of the report be approved subject to the pick up and drop off charge at Glasgow Airport being increased from £4 to £5;

(b) That it be agreed this that fares scale shall come into effect on 10 July 2023;

(c) That it be agreed that thereafter, officers be authorised to give notice to (i) all operators of taxis operating in Renfrewshire and (ii) the persons and organisations appearing to the Board to be representative of the operators of taxis operating within

Renfrewshire (being the parties initially consulted) of the fares scale fixed and its effect, the date on which it is to come into effect and the rights of appeal against the scale, all as set out in Section 17 of the Act, as amended; and

(d) That officers be authorised to publish the fares scale, as soon as practicable following expiry of the period for appeal to the Traffic Commissioner (or, if appealed, as soon as practicable after determination of the appeal), by giving notice of the scales in an advertisement in a newspaper circulating in Renfrewshire and to specify therein that the scales shall come into effect on 10 July 2023.

## **2 Grant of Private Hire Car Driver's Licence - Personal Appearance**

There was submitted the undernoted application for grant of a Private Hire Car Driver's Licence. The applicant had been asked to appear personally for the first time:-

Parvaz Ahktar

The Senior Solicitor (Litigation & Regulatory Services) advised that this application was for grant of a Private Hire Car Driver's Licence and not for grant of a Taxi Driver's Licence as stated on the agenda.

There was no appearance by or on behalf of Mr Ahktar, the applicant. The Convener proposed that the application be considered in Mr Ahktar's absence. This was agreed unanimously. After consideration of all matters before the Board, the Convener proposed that consideration of the application be continued and that the applicant be invited to a future meeting of the Board. This was agreed unanimously.

**DECIDED:** That consideration of the application be continued and that the applicant be invited to a future meeting of the Board.

## **3 Renewal of Private Hire Car Operator's Licence - Personal Appearance**

There was submitted the undernoted application for renewal of a Private Hire Car Operator's Licence. The applicant had been asked to appear personally for the second time:-

Applicant: Baiju Paul  
Licence No.: PH1082

Mr Paul, the applicant, joined the meeting by video call. After consideration of all matters before the Board, the Convener proposed that the application be refused. This was agreed unanimously.

**DECIDED:** That the application be refused.

#### 4 **Renewal of Late Hours Catering Licences**

There were submitted the undernoted applications for renewal of Late Hours Catering Licences:–

(a) Applicant: WM Morrison Supermarkets Limited  
Premises: 30 Napier Street, Johnstone  
Activity: supermarket  
Operating hours: Monday to Sunday - 11.00 pm to 5.00 am  
Licence No.: LHC-086

The Convener proposed that the application be granted for a period of two years and that the applicant continue to be an exception to the Board's policy on trading hours. This was agreed unanimously.

**DECIDED**: That the application be granted for a period of two years and that the applicant continue to be an exception to the Board's policy on trading hours.

(b) Applicant: WM Morrison Supermarkets Limited  
Premises: Anchor Mill, Paisley  
Activity: supermarket  
Operating hours: Monday to Sunday - 11.00 pm to 5.00 am  
Licence No.: LHC-087

The Convener proposed that the application be granted for a period of two years and that the applicant continue to be an exception to the Board's policy on trading hours. This was agreed unanimously.

**DECIDED**: That the application be granted for a period of two years and that the applicant continue to be an exception to the Board's policy on trading hours.

#### **EXCLUSION OF PRESS AND PUBLIC**

The Board resolved that the press and public be excluded from the meeting during consideration of the following items of business as it was likely, in view of the nature of the business to be transacted that if members of the press and public were present there would be disclosure to them of exempt information as defined in paragraph 3 of part I of schedule 7A of the Local Government (Scotland) Act 1973.

#### 5 **Grant of Late Hours Catering Licence - Personal Appearance**

There was submitted the undernoted application for the grant of a Late Hours Catering Licence. The applicant had been asked to appear personally for the first time:-

Applicant: Madras Grill House  
Premises: 20-22 Old Sneddon Street, Paisley  
Activity: catering

Operating hours: Sunday to Thursday - 11:00 pm to 1:00 am and Friday and Saturday - 11.00 pm to 3:00 am

Ms Canning, on behalf of the applicant, joined the meeting by telephone call and advised that the applicant wished to accept the operating hours as set out in the Board's policy on trading hours. After consideration of all matters before the Board, the Convener proposed that the application be granted for a period of one year and that the operating hours be Sunday to Thursday from 11.00 pm to 1.00 am and Fridays and Saturdays from 11.00 pm to 2.00 am. This was agreed unanimously.

**DECIDED:** That the application be granted for a period of one year and that the operating hours be Sunday to Thursday from 11.00 pm to 1.00 am and Fridays and Saturdays from 11.00 pm to 2.00 am.

## 6 **Grant of Private Hire Car Drivers' Licences - Personal Appearances**

Under reference to item 9(d) of the Minute of the meeting of this Board held on 2 February 2023, consideration was resumed of application (c) and there were submitted the undernoted applications for grant of Private Hire Car Drivers' Licences. Applicant (c) had been asked to appear personally for the second time and applicants (a), (b), (d), (e), (f), and (g) had been asked to appear personally for the first time together with Police Scotland who had submitted objections to applications (c) and (d) and representations to applications (e), (f) and (g):-

(a) Muhammad Nadeem

Mr Nadeem, the applicant, joined the meeting by video call. After consideration of all matters before the Board, the Convener proposed that the application be granted for a period of one year. This was agreed unanimously.

**DECIDED:** That the application be granted for a period of one year.

(b) Moumen Helmi

Mr Helmi, the applicant, joined the meeting by video call. After consideration of all matters before the Board, the Convener proposed that the application be granted for a period of one year. This was agreed unanimously.

**DECIDED:** That the application be granted for a period of one year.

### **Sederunt**

Councillor Steel left the meeting during consideration of the following item of business.

(c) Brogan Carslaw

Mr Carslaw, the applicant, joined the meeting by video call together with Sergeant Moore-McGrath, who also joined the meeting by video call, on behalf of the Chief Constable who had submitted an objection to the application. After consideration of all

matters before the Board, the Board adjourned to allow members to consider this application. The meeting was reconvened and the Convener proposed that the application be granted for a period of one year. This was agreed unanimously.

**DECIDED**: That the application be granted for a period of one year.

(d) Mohammad Akram

The Senior Solicitor (Litigation & Regulatory Services) advised that Mr Akram had intimated that he would be unable to attend the meeting. Sergeant Moore-McGrath, joined the meeting by video call, on behalf of the Chief Constable who had submitted an objection to the application. The Convener proposed that consideration of the application be continued and that the applicant be invited to a future meeting of the Board. This was agreed unanimously.

**DECIDED**: That consideration of the application be continued and that the applicant be invited to a future meeting of the Board.

(e) David Walker

Mr Walker, the applicant, joined the meeting by video call together with Sergeant Moore-McGrath, who also joined the meeting by video call, on behalf of the Chief Constable who had submitted a representation to the application. After consideration of all matters before the Board the Convener proposed that consideration of the application be continued and that the applicant be invited to a future meeting of the Board. This was agreed unanimously.

**DECIDED**: That consideration of the application be continued and that the applicant be invited to a future meeting of the Board.

(f) Jawwad Anwar

Mr Anwar, the applicant, joined the meeting by video call. After consideration of all matters before the Board, the Convener proposed that the application be granted for a period of six months This was agreed unanimously.

**DECIDED**: That the application be granted for a period of six months.

## **Adjournment**

The meeting adjourned at 11.40 am and reconvened at 11.55 am.

(g) Parmjit Singh

Mr Singh, the applicant, accompanied by his daughter Ms Kaur, joined the meeting by video call together with Sergeant Moore-McGrath, who also joined the meeting by video call, on behalf of the Chief Constable who had submitted a representation to the application.

After consideration of all matters before the Board, the Convener proposed that the application be granted for a period of one year. This was agreed unanimously.

**DECIDED:** That the application be granted for a period of one year.

## **Adjournment**

The meeting adjourned at 12.15 pm and reconvened at 1.30 pm.

### **7 Renewal of Private Hire Car Drivers' Licences - Personal Appearances**

Under reference to item 10(c) of the Minute of the meeting of this Board held on 2 February 2023, consideration was resumed of application (b) and there was submitted application (a) for renewal of Private Hire Car Drivers' Licences. Applicant (a) had been asked to appear personally for the first time and applicant (b) had been asked to appear personally for the second time together with Police Scotland who had submitted a representation to application (a) and an objection to application (b):-

(a) Applicant: Shamshad Hashimi  
Licence No.: P3234

Mr Hashimi, the applicant, joined the meeting by video call together with Sergeant Moore-McGrath, who also joined the meeting by video call, on behalf of the Chief Constable who had submitted a representation to the application. After consideration of all matters before the Board the Convener proposed that the application be granted for a period of two years. This was agreed unanimously.

**DECIDED:** That the application be granted for the period of two years.

(b) Applicant: Mahamudul Hassan  
Licence No.: P0292

Mr Hassan, the applicant, joined the meeting by telephone call together with Sergeant Moore-McGrath, who joined the meeting by video call, on behalf of the Chief Constable who had submitted an objection to the application. After consideration of all matters before the Board, the Board adjourned to allow members to consider this application. The meeting was reconvened and the Convener proposed that consideration of the application be continued and that the applicant be invited to a future meeting of the Board. This was agreed unanimously.

**DECIDED:** That consideration of the application be continued and that the applicant be invited to a future meeting of the Board.

## 8 **Renewal of Taxi Operator's Licence**

There was submitted the undernoted application for renewal of a Taxi Operator's Licence:-

Applicant: Eric Egan  
Licence No.: TX010

The Convener proposed that the application be granted for a period of two years. This was agreed unanimously.

**DECIDED**: That the application be granted for a period of two years.

## 9(a) **Renewal of Taxi Operator's Licence - Personal Appearance**

There was submitted the undernoted application for renewal of a Taxi Operator's Licence. The applicant had been asked to appear personally for the first time together with Police Scotland who had submitted an objection to the application:-

Applicant: Mohamed Youssef  
Licence No.: TX212d

Mr Youssef, the applicant, joined the meeting by video call together with Sergeant Moore-McGrath, who also joined the meeting by video call, on behalf of the Chief Constable who had submitted an objection to the application. After consideration of all matters before the Board, the Board adjourned to allow members to consider this application. The meeting was reconvened and the Convener proposed that the application be refused. This was agreed unanimously.

**DECIDED**: That the application be refused.

### **Sederunt**

Councillor Hughes left the meeting prior to consideration of the following item of business.

## 9(b) **Variation of Taxi Operator's Licence - Personal Appearance**

There was submitted the undernoted application for variation of a Taxi Operator's Licence. The applicant had been asked to appear personally for this first time:-

Applicant: Mohammed Youssef  
Variation: exception to policy and standard condition 22  
Licence No.: TX212d



Mr Youssef, the applicant, joined the meeting by video call and advised he wished to withdraw this application.

**DECIDED**: That it be noted that the application had been withdrawn.

### **Sederunt**

Councillor Mullin left the meeting prior to consideration of the following item of business.

## 10 **Grant of Taxi Driver's Licence - Personal Appearance**

There was submitted the undernoted application for grant of a Taxi Driver's Licence. The applicant had been asked to appear personally for the first time:-

Patrycja Singh

Ms Singh, the applicant, joined the meeting by video call. After consideration of all matters before the Board, the Convener proposed that consideration of the application be continued and that the applicant be invited to a future meeting of the Board. This was agreed unanimously.

**DECIDED**: That consideration of the application be continued and that the applicant be invited to a future meeting of the Board.