

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Wednesday, 16 January 2019	10:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

Present

Councillor Eddie Devine, Councillor Audrey Doig, Councillor Lisa-Marie Hughes, Councillor Alistair Mackay, Councillor Cathy McEwan, Councillor John McNaughtan, Councillor Kevin Montgomery, Councillor Jane Strang

Chair

Councillor McNaughtan, Convener, presided.

In Attendance

A McLaughlin, Senior Solicitor (Litigation and Regulatory Services), P Shiach, Committee Services Officer, N O'Brien, Assistant Committee Services Officer and N Barr, Administrative Assistant (all Finance & Resources).

Apologies

Councillors Rodden and Steel.

Declarations of Interest

Councillors Montgomery and Devine declared a non-financial interest in item 1a of the agenda as the objector was known to them and indicated their intention to leave the meeting during consideration of this item and not to take part in any discussion or voting thereon.

Sederunt

Councillors Devine and Montgomery, having previously declared an interest in the following item of business left the meeting and took no part in any discussion or voting thereon.

1 Grant of Street Traders' Licences - Personal Appearances

Under reference to item 9 of the Minute of the meeting of this Board held on 31 October 2018, consideration was resumed of application (a) for the grant of a Street Trader's Licence and there was submitted application (b) for the grant of a Street Trader's Licence. Applicant (a) had been asked to appear personally for the second time together with Councillor Sharkey, who had submitted an objection to the application in relation to trading in the Ralston area of Paisley and applicant (b) had been asked to appear personally for the first time together with Councillor Kenny MacLaren, Joyce Bunton, Gary Wilson, Tracy Wilson, Fiona MacRae, Elizabeth Johnston, Paul Johnston, Paul Johnston Jnr., William Kelly, Julie O'Brien, John O'Brien, Martin Reilly, Frank McGeachie, Yvonne Gibson, Russell Nightingale, Janice Boyd, Alice MacRae, Johnathon Williams, Stephanie Mayo, and Nicola Murney, who had submitted objections to the application:-

(a) Applicant: Alexander Brannigan, 5 Stoddart Square, Elderslie
Authorised goods: soft ice cream, soft drink and confections
Trading from: Renfrewshire Council area excluding Paisley Town Centre
Lochfield and Hunterhill
Operating hours: seven days per week – 11.00 am to 10.00 pm

There was no appearance by or on behalf of Mr Brannigan. Councillor Sharkey, who had submitted an objection to the application, was invited into the meeting. After consideration of all matters before the Board, the Convener proposed that the application be granted for a period of one year subject to the exclusion of the following areas, Lochfield, Ralston, Hunterhill and Paisley Town Centre. This was agreed unanimously.

DECIDED: That the application be granted for a period of one year subject to the exclusion of the following areas, Lochfield, Ralston, Hunterhill and Lochfield.

SEDERUNT

Councillors Devine and Montgomery re-entered the meeting prior to consideration of the following item of business.

(b) Applicant: LI Tea's Limited (Owner Katrina Boal)
Authorised goods: soup, hot and cold rolls, salads and sandwiches
Trading from: Marchfield Avenue, parked 15 metres from junction to
Inchinnan Road
Opening hours: Monday to Sunday 8.00 am to 3.00 pm

There was no appearance by or on behalf of Ms Boal, LI Tea's Limited. Councillor Kenny MacLaren, who had submitted an objection to the application and Joyce Bunton, representing Paisley North Community Council, who had submitted an objection to the application were invited into the meeting. There was no appearance by or on behalf of Gary Wilson, Tracy Wilson, Fiona MacRae, Elizabeth Johnston, Paul Johnston, Paul Johnston Jnr., William Kelly, Julie O'Brien, John O'Brien, Martin Reilly, Frank McGeachie,

Yvonne Gibson, Russell Nightingale, Janice Boyd, Alice MacRae, Johnathon Williams, Stephanie Mayo, and Nicola Murney, objectors to the application.

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.

2 Renewal of a Taxi Operator's Licence

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

Eric Egan

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.

3 Grant of a Private Hire Car Operator's Licence - Personal Appearance

Under reference to item 3 of the Minute of the meeting of this Board held on 31 October 2018, there was submitted the undernoted application for grant of a Private Hire Operator's Licence. The applicant had been asked to appear personally for the second time:-

Allan Sneddon

There was no appearance by or on behalf of Mr Sneddon. The Convener proposed that the application be considered in Mr Sneddon's absence and this was agreed unanimously. 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.

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 could 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.

4 Surrender and Re-issue of a Taxi Operator's Licence

There was submitted the undernoted application for the surrender and re-issue of a Taxi Operator's Licence:-

Present Operator: Charles Alexander McKinnon
Proposed Operator: Scott McKinnon
Licence No: TX019

The Convener proposed that the application be granted. This was agreed unanimously.

DECIDED: That the application be granted.

5 Request for Exemption from assisting Wheelchair Passengers - Personal Appearance

There was submitted the undernoted request for exemption from assisting wheelchair passengers. The applicant had been asked to appear personally for the second time:-

David Snell

Mr Snell, the applicant, was invited into the meeting. After consideration of all matters before the Board, the Convener proposed that Mr Snell's request for exemption from assisting wheelchair passengers be granted for the duration of his current Taxi Driver's Licence. This was agreed unanimously

DECIDED: That Mr Snell's request for exemption from assisting wheelchair passengers be granted for the duration of his current Taxi Driver's Licence.

6 Renewal of a Taxi Driver's Licence - Personal Appearance

There was submitted the undernoted application for renewal of a Taxi Driver's Licence. The applicant had been asked to appear personally for the second time together with Police Scotland who had submitted a representation to the application:

John Connolly

There was no appearance by or on behalf of Mr Connolly. Sergeant Hay, on behalf of the Chief Constable, who had submitted a representation to the application, was invited into the meeting. The Convener proposed that the application be considered in Mr Connolly's absence and this was agreed unanimously. 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.

7 Grant of Private Hire Car Drivers' Licences - Personal Appearances

There were submitted the undernoted applications for grant of Private Hire Car Drivers' Licences. The applicants had been asked to appear personally for the first time together with Police Scotland who had submitted representations to applications (a) and (b) and an objection to application (c):-

(a) Steven Davidson Morton

Mr Morton, the applicant, was invited into the meeting together with Sergeant Hay, on behalf of the Chief Constable, who had submitted a representation 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.

(b) Stuart Burns

Mr Burns, the applicant, was invited into the meeting together with Sergeant Hay, 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.

(c) Steven Conway

There was no appearance by or on behalf of Mr Conway. Sergeant Hay, on behalf of the Chief Constable, who had submitted an objection to the application, was invited into the meeting. 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.

Declaration of Interest

Councillor Devine declared a non-financial interest in the following item of business as the applicant was known to him, left the meeting and took no part in any discussion or voting thereon.

8 Grant of Landlord Registrations - Personal Appearances

Under reference to item 4 of the Minute of the meeting of this Board held on 29 March 2018, consideration was resumed of application (a) for grant of Landlord Registration and there was submitted application (b) for grant of Landlord Registration. Applicant (a) had been asked to appear personally for the third time together with Police Scotland and applicant (b) had been asked to appear personally for the first time:-

(a) Robert McCutcheon – REN – 00660216-17

Mr McCutcheon, the applicant, was invited into the meeting together with Sergeant Hay, on behalf of the Chief Constable. 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 Devine re-entered the meeting prior to the following item of business.

(b) Robert Potts – 419170/350/10401403149/10571

Mr Potts, the applicant, was invited into the meeting together with Mr Summerside, former Letting Agent, MS Property. 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 to allow the applicant to produce evidence of payment of the fine imposed by the First-tier Tribunal for Scotland (Housing and Property Chamber) and that, if required, the applicant be invited to a future meeting of the Board. This was agreed unanimously.

DECIDED: That consideration of the application be continued to allow the applicant to provide evidence of payment of the fine imposed by the First-tier Tribunal for Scotland (Housing and Property Chamber) and that, if required, the applicant be invited to a future meeting of the Board.