

## Notice of Meeting and Agenda Regulatory Functions Board

| Date                        | Time  | Venue  |
|-----------------------------|-------|--|
| Thursday, 01 September 2016 | 10:00 | Council Chambers (Renfrewshire),<br>Council Headquarters, Renfrewshire<br>House, Cotton Street, Paisley, PA1 1AN |

KENNETH GRAHAM  
Head of Corporate Governance

### Membership

Councillor Maria Brown: Councillor Eddie Devine: Councillor Margaret Devine: Provost Anne Hall: Councillor Cathy McEwan: Councillor James McQuade: Councillor Sam Mullin: Councillor Will Mylet:

Councillor John Hood (Convener): Councillor Bill Brown (Depute Convener):

### Further Information

This is a meeting which is open to members of the public.

A copy of the agenda and reports for this meeting will be available for inspection prior to the meeting at the Customer Service Centre, Renfrewshire House, Cotton Street, Paisley and online at [www.renfrewshire.cmis.uk.com/renfrewshire/CouncilandBoards.aspx](http://www.renfrewshire.cmis.uk.com/renfrewshire/CouncilandBoards.aspx)

For further information, please either email [democratic-services@renfrewshire.gov.uk](mailto:democratic-services@renfrewshire.gov.uk) or telephone 0141 618 7112.

### Members of the Press and Public

Members of the press and public wishing to attend the meeting should report to the customer service centre where they will be met and directed to the meeting.

## Items of business

### Apologies

Apologies from members.

### Declarations of Interest

Members are asked to declare an interest in any item(s) on the agenda and to provide a brief explanation of the nature of the interest.

- 1      Taxi: Proposed Amendment to Standard Conditions to      5 - 10**  
**Allow Display of Notices on Headrests**

Report by Director of Finance & Resources.

- 2      Air Weapons and Licensing (Scotland) Act 2015: Changes      11 - 14**  
**to Metal Dealers Licensing Regime**

Report by Director of Finance & Resources.

### EXCLUSION OF PRESS AND PUBLIC

The Board may by resolution exclude the press and public from the meeting during consideration of the following items of business as it is likely, in view of the nature of the business to be transacted, that if members of the press and public are 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.

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

Submit the undernoted application for renewal of a Private Hire Car Operator's Licence. The applicant has been asked to appear personally for the first time:-

Iain Waddell, 64 Dunvegan Avenue, Elderslie

- 4      Grant of Private Hire Car Operator's Licence - Personal**  
**Appearance**

Submit the undernoted application for the grant of a Private Hire Car Operator's Licence. The applicant has been asked to appear personally for the first time:-

Mohammed Azher, 12 Parkholm Gardens, Parklands, Glasgow

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

Submit the undernoted applications for the grant of Private Hire Car Drivers' Licences. The applicants have been asked to appear personally for the first time together with Police Scotland who has submitted a representation to application (a), an objection received outwith the statutory timescale to application (b) and an objection and further letter to application (c):-

- (a) Connor Smith, 186 Renfrew Road, Paisley
- (b) William Patterson, 21 Knock Way, Gallowhill, Paisley
- (c) Hamid Manafi, 30 East Crawford Street, Greenock

## **6 Grant of Second Hand Dealer's Licence - Personal Appearance**

Submit the undernoted application for the grant of a Second Hand Dealer's Licence. The applicant has been asked to appear personally for the first time together with Police Scotland who has submitted a representation received outwith the statutory timescale to the application:-

Applicant: Gentian Elshani, Flat 1/2 14 Sandholes Street, Paisley  
Authorised activity: second hand cars  
Trading from: 17C Greenhill Road, Paisley  
Operating hours: Monday to Friday – 10.00 am to 8.00 pm  
Saturday and Sunday – 11.00 am to 8.00 pm

## **7 Grant of Landlord Registrations - Personal Appearances**

Under reference to item 6(b) of the Minute of the meeting of this Board held on 2 June 2016 resume consideration of application (a) for the grant of Landlord Registration and under reference to item 3(c) of the Minute of the meeting of this Board held on 17 August 2016 resume consideration of application (b) for the grant of Landlord Registration. The applicants have been asked to appear personally for the second time together with Police Scotland in respect of application (b):-

- (a) Fiona Siddall, Quick Save Supermarket, Box 63, Partida Murtar, Bajo 02/2, Pedreguer, 03750 Spain
- (b) Edward Duffy, 10 Kilnknow Cottages, Midton Road, Howwood

## **Adjournment**

The meeting will adjourn after consideration of item 5 and reconvene at 1.30 pm.

**8      Hearing into Possible Suspension of Private Hire Car Driver's Licence - Personal Appearance**

Consider the possible suspension of the undernoted Private Hire Car Driver's Licence. The licence holder has been asked to appear personally for the first time together with John Crosgray, the complainer:-

Mohammed Aslam, 7 Wedderlea Drive, Glasgow

**9      Grant of Private Hire Car Operators' Licences - Personal Appearances**

Submit the undernoted applications for the grant of Private Hire Car Operators' Licences. The applicant has been asked to appear personally for the first time:-

Renfrewshire Radio Taxis Limited, 6 Auchengreoch Avenue, Johnstone  
– 3 applications

**10     Renewal of Private Hire Car Driver's Licence - Personal Appearance**

Submit the undernoted application for renewal of a Private Hire Car Driver's Licence. The applicant has been asked to appear personally for the first time:-

Duncan Story, Flat 2/2 17 Newton Street, Greenock

**11     Grant of Taxi Driver's Licence - Personal Appearance**

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

Roland Salzmann, 12 Birnock Avenue, Deanfield, Renfrew



---

**To:** Regulatory Functions Board

**On:** 1<sup>st</sup> September 2016

---

**Report by:** Director of Finance and Resources

---

**Heading:** Taxis: Proposed Amendment of Standard Conditions to Allow Display of Notices on Headrests

---

## **1. Summary**

- 1.1 The purpose of this report is to seek amendment of the standard conditions applicable to taxi licences following a request from Glasgow Airport.
  - 1.2 The Board, on 5<sup>th</sup> March 2014, considered a report from the Director of Finance and Corporate Services and agreed changes to the standard conditions of these licences. These changes included a relaxation of standard condition 23, which restricts advertising on and in taxis, in order to allow a customer service notice to be displayed on the tip up seats or bulkhead of a taxi. This change followed upon a request from Glasgow Airport Limited. They have now requested that this condition be relaxed further to allow these notices to be placed on the rear of headrests within taxis.
- 

## **2. Recommendations**

- 2.1 It is recommended that the Board:-
  - 2.1.1 Agree that standard condition 23 applicable to taxi licences be amended to read:

“23. The holder of a taxi licence shall have his name and taxi licence number printed on both the near side and off side rear windows of the taxi in Roman letters not less than  $\frac{3}{4}$  of one inch and not greater than one inch in height and of proportional breadth and shall ensure that they are clearly legible during the currency of the licence. No notice, advertisement, printed bill, or other item shall be displayed on the outside or inside of a taxi without the previous consent of the licensing authority except:-

the name of the licence holder and the taxi licence number on the outside of the taxi; and

a notice containing information about methods of payment by card up to a permitted size of 200mm x 100mm on either the side windows or the interior of the taxi; and/or

a customer service notice (providing information in relation to making a complaint or giving feedback) up to a permitted size of 6 inches x 6 inches on the tip up seats, the rear of headrests (where displayed in a bespoke housing, appropriately attached to or covering the headrest) or bulkhead of the taxi,

the cumulative number of any payment method and customer service notices being limited to three.”

2.1.2 Agree that the standard condition as amended will be attached to any grant, renewal or variation of licence determined after 1<sup>st</sup> October 2016.

2.1.3 Agree, in the event of the Board amending the above condition, that until such times as the revised condition is attached to all taxi licences, officers may use their discretion in respect of enforcement activity carried out relative to that condition.

### **3. Background**

3.1 On 5 March 2014, the Board considered a report from the Director of Finance and Corporate Services relative to a review of the standard conditions of taxi licences to allow display of payment methods and customer service notices within taxis. This followed upon requests by Glasgow Airport Limited to allow notices to be displayed within taxis in relation to card payment methods and customer service.

3.2 The Board agreed on that date a change to standard condition 23 of taxi licences in the following terms:

“23. The holder of a taxi licence shall have his name and taxi licence number printed on both the near side and off side rear windows of the taxi in Roman letters not less than  $\frac{3}{4}$  of one inch and not greater

than one inch in height and of proportional breadth and shall ensure that they are clearly legible during the currency of the licence. No notice, advertisement, printed bill, or other item shall be displayed on the outside or inside of a taxi without the previous consent of the licensing authority except:-

the name of the licence holder and the taxi licence number on the outside of the taxi; and

a notice containing information about methods of payment by card up to a permitted size of 200mm x 100mm on either the side windows or the interior of the taxi; and/or

a customer service notice (providing information in relation to making a complaint or giving feedback) up to a permitted size of 6 inches x 6 inches on the tip up seats or bulkhead of the taxi,

the cumulative number of any payment method and customer service notices being limited to three.”

The Board agreed that this amended condition would attach to any licence granted, renewed or varied after 1<sup>st</sup> April 2014.

- 3.3 Despite the terms of Glasgow Airport Limited’s previous request to relax the above condition in these terms, they have recently advised that taxi operators have not to date been able to display customer service notices in their vehicles, owing to many vehicles used as taxis at Glasgow Airport not having tip up seats or bulkheads for the display of these notices. In the circumstances, Glasgow Airport Limited have requested that the Council further relax the terms of standard condition 23, as recommended at Paragraph 2.1 above. This would enable such notices to be displayed on the headrests of those vehicles. The proposed requirement that any notice be displayed in a bespoke housing reflects the current regulatory scheme for headrest advertising, in terms of which an application for variation requires to be made to allow advertising. Glasgow Airport Limited envisage a soft casing with a transparent window covering a headrest to enable the customer service notice to be displayed within it. The notice which Glasgow Airport Limited presently wish taxi licence holders to display within their vehicles is attached at Appendix 1.

### **Implications of the Report**

1. **Financial-** Nil
2. **HR & Organisational Development-** Nil
3. **Community Planning – Safer and Stronger-** The ongoing improvement of licensing standards will improve standards of safety and service for the travelling public.

4. **Legal-** (i) The Council may attach reasonable conditions to a licence in terms of Paragraph 5 of Schedule 1 to the Civic Government (Scotland) Act 1982.
5. **Property/Assets-** Nil
6. **Information Technology-** Nil
7. **Equality & Human Rights-**

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report, as the recommendations relate to a change to licence conditions facilitating display of customer service notices. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety-** Nil
9. **Procurement-** Nil
10. **Risk-** Nil
11. **Privacy Impact-** Nil

---

#### **List of Background Papers**

- (a) Background Papers- Customer Service Notice proposed for use in Taxis by Glasgow Airport Limited.

---

**Author** Douglas Campbell, Assistant Managing Solicitor (Licensing), 0141-618-7172



# GIVE US YOUR FEEDBACK

If you want to complain or give a compliment about your Journey, please contact one of the following;

The Taxi Booking Office on 0141 889 1813 (7am til 11pm)

Glasgow Airport Web Site [glasgowairport.com](http://glasgowairport.com) and click “feedback”

TEXT Feedback on 0786 002 0830

Or Contact Renfrewshire Council Licensing section on:

0141 618 7083 or e mail on [licensing.cs@renfrewshire.gov.uk](mailto:licensing.cs@renfrewshire.gov.uk)

Please quote date, time of journey and Vehicle License Plate number:

# 001

Thank You for using Glasgow Airport Taxi Services



GLASGOW  
AIRPORT

PROUD TO SERVE SCOTLAND





---

**To:** Regulatory Functions Board

**On:** 1<sup>st</sup> September 2016

---

**Report by:** Director of Finance and Resources

---

**Heading:** Air Weapons and Licensing (Scotland) Act 2015: Changes to Metal Dealers Licensing Regime

---

**1. Summary**

- 1.1 The purpose of this report is to provide an update to the Board on the implementation of the Air Weapons and Licensing (Scotland) Act 2015, particularly with regard to changes being introduced to the metal dealers licensing regime with effect from 1<sup>st</sup> September 2016.
- 

**2. Recommendations**

- 2.1 It is recommended that the Board note the contents of the report.

**3. Background**

- 3.1 On 25<sup>th</sup> September 2014, the Board considered the terms of a report in relation to the Air Weapons and Licensing (Scotland) Bill (as it then was) and approved the terms of a response to a call for evidence for submission to the Scottish Parliament's Local Government and Regeneration Committee.
- 3.2 Following completion of the legislative procedures, the Air Weapons and Licensing (Scotland) Act 2015 ("the 2015 Act") received Royal Assent on 4<sup>th</sup> August 2015. In addition to provisions regulating air weapons and liquor licensing, the Act contains a number of changes which will impact upon the Regulatory Functions Board. While these changes will affect the licensing of taxis and private hire cars and

their drivers, public entertainment licensing and procedures under the Civic Government (Scotland) Act 1982 (“the 1982 Act”) and allow the Council to introduce a new regime for sexual entertainment venue licensing, the only changes to be commenced at this stage relate to the licensing of metal dealers. These changes take effect from 1<sup>st</sup> September 2016 and are summarised in Paragraphs 3.3 to 3.5 of this report.

- 3.3 The 2015 Act makes a number of changes to the definition in the 1982 Act as to what constitutes metal dealing. While metal dealers previously required to be licensed only where they were both buying and selling metal for scrap, they will now require to be licensed if they are either buying or selling metal for that purpose. The new definition will only require individuals or businesses to be licensed where they are “wholly or substantially” carrying on business as metal dealers, as compared with doing so “wholly or partly” as at present. The new provisions will now specifically include motor salvage businesses within the definition of metal dealers. The previous exemption from licensing, available to metal dealers with a turnover of over £1,000,000 (the exemption warrant system), is also removed and these businesses will now require to be licensed.
- 3.4 Individuals or businesses whose operations now fall within the definition of metal dealing for the first time require to be licensed from 1<sup>st</sup> September 2016. As a result of transitional provisions made under the 2015 Act, those requiring to be licensed for the first time required to apply for a licence by 1<sup>st</sup> June 2016 to enable them to operate as metal dealers as at 1<sup>st</sup> September 2016 when the provisions come into force. Officers of the Council communicated, prior to 1<sup>st</sup> June 2016, with persons appearing to fall within the terms of the new definition for the first time.
- 3.5 The new provisions remove the requirement for metal dealers to retain metal for 48 hours prior to disposing of it, given the removal of the exemption warrant system for large operators. However, all licensed metal dealers will now have to comply with more detailed record-keeping requirements introduced by the 2015 Act. The 2015 Act also prohibits payment for metal being made in cash and evidence of cheque or electronic payment requires to be retained. The 2015 Act, and Regulations made under the 1982 Act, also introduce requirements relating to the verification of identity of those involved in the acquisition, sale and exchange of metal. Regulations under the Act, when made, will allow a National Register of Metal Dealers to be established. Officers have updated the terms of application forms and guidance notes in view of the introduction of the metal dealers licensing provisions on 1<sup>st</sup> September 2016. No changes are however required to the licence conditions for metal dealers at this time, having regard to the provisions of the 2015 Act.

- 3.6 The Scottish Government have published Guidance in relation to the above changes at [www.gov.scot/Resource/0049/00496927.pdf](http://www.gov.scot/Resource/0049/00496927.pdf)
- 3.7 It is anticipated that further commencement orders in relation to the wider provisions of the 2015 Act may be made in Autumn 2016, or thereafter. Further reports will be brought to the Board, as required, as the provisions of the 2015 Act are brought into force.
- 

### **Implications of the Report**

1. **Financial-** Nil
2. **HR & Organisational Development-** Nil
3. **Community Planning – Safer and Stronger-** The ongoing improvement of licensing standards will contribute to stronger and safer communities.
4. **Legal-** as detailed in the report
5. **Property/Assets-** Nil
6. **Information Technology-** Nil
7. **Equality & Human Rights-**

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report, as the report advises the Board of changes to legislation. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety-** Nil
  9. **Procurement-** Nil
  10. **Risk-** Nil
  11. **Privacy Impact-** Nil
- 

### **List of Background Papers-** Nil.

---

**Author** Douglas Campbell, Assistant Managing Solicitor (Licensing), 0141-618-7172

