

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Thursday, 16 November 2017	10:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

Present: Councillor Eddie Devine, Councillor Lisa-Marie Hughes, Councillor Alistair Mackay, Councillor Cathy McEwan, Councillor John McNaughtan, Councillor Kevin Montgomery, Councillor Andy Steel, Councillor Jane Strang

Chair

Councillor McNaughtan, Convener, presided

In Attendance

E Clements, Senior Solicitor (Licensing); P Shiach, Committee Services Officer; G McIntosh, Civic Government Enforcement Officer (for items 1 to 3 only) and N Barr, Administrative Assistant (all Finance & Resources).

Apologies

Provost Cameron and Councillor Rodden.

Declarations of Interest

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

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.

1 Recall of Suspension of Private Hire Car Driver's Licence and Private Hire Car Operator's Licence - Personal Appearance

Under reference to item 1 of the Minute of the meeting of this Board held on 16 February 2017 the Board considered the undernoted request for the recall of suspension of a Private Hire Car Driver's Licence and Private Hire Car Operator's Licence. The applicant had been asked to appear personally for the first time together with Police Scotland: -

Moin Ullah Qureshi, 23 Hunterhill Road, Paisley

Mr Qureshi, the licence holder was invited into the meeting together with Inspector Kirkwood and Sergeant Curran, representing the Chief Constable.

The Senior Solicitor advised that Mr Qureshi's Private Hire Car Driver's Licence had expired in September 2017 and therefore his request for a recall of suspension could not be considered by the Board. Mr Qureshi was advised that he would require to submit an application for the grant of a new Private Hire Car Driver's Licence.

The Board considered the request for the recall of the suspension of the licence holder's Private Hire Car Operator's Licence. After consideration of all matters before the Board, the meeting adjourned to allow members to consider the matter. The meeting was reconvened.

The Convener proposed that Mr Qureshi's Private Hire Car Operator's Licence be not recalled from suspension. This was agreed unanimously.

DECIDED: That Mr Qureshi's Private Hire Car Operator's Licence be not recalled from suspension.

2 Hearing into Possible Removal from the Register of Private Landlords - Personal Appearance

Under reference to item 8(b) of the Minute of the meeting of this Board held on 5 October 2017 the Board resumed consideration of the undernoted hearing into the possible removal of the undernoted landlord from the register of private landlords. The landlord had been asked to appear personally for the second time: -

Asghar Ali, 28 Leven Street, Pollokshields, Glasgow.

Mr Ali, the landlord was invited into the meeting. The landlord indicated that he had a Certificate of Completion of the First-tier Tribunal for Scotland (Housing and Property Chamber) under section 60(5) of the Housing (Scotland) Act 2006 in relation to the property.

The Convener proposed that no further action be taken in relation to Mr Ali and that he be not removed from the register of private landlords. This was agreed unanimously.

DECIDED: That no further action be taken in relation to Mr Ali, and that he be not removed from the register of private landlords.

3 Hearing into Possible Suspension or Revocation of Private Hire Car Driver's Licence - Personal Appearance

The Board considered the possible suspension or revocation of the undernoted Private Hire Car Driver's Licence. The licence holder had been asked to appear personally for the first time together with Police Scotland:-

Stephan Duncan Ashley

Mr Ashley, the licence holder, and Mr Freeman, solicitor were invited into the meeting together with Inspector Kirkland and Sergeant Curran on behalf of the Chief Constable.

After consideration of all matters before the Board, the Convener asked Mr Ashley if he wished to address the Board on any action the Board might impose prior to any motions being made in relation to his Private Hire Car Driver's Licence. Mr Ashley then addressed the Board.

Following consideration of Mr Ashley's submission, the meeting adjourned to allow members to consider the matter. The meeting was reconvened.

The Convener proposed that Mr Ashley's Private Hire Car Driver's Licence be suspended for the unexpired portion of the duration of the licence with immediate effect. This was agreed unanimously.

DECIDED: That Mr Ashley's Private Hire Driver's Licence be suspended for the unexpired portion of the duration of the licence with immediate effect.

4 Grant of Temporary Public Entertainment Licence - Personal Appearance

There was submitted the undernoted application for the grant of a temporary Public Entertainment licence. The applicant had been asked to appear personally for the first time together with Thompson McKenzie who had submitted a representation to the application: -

Mr Taylor and Ms Kerr, representing the applicant were invited into the meeting. There was no appearance by or on behalf of Mr McKenzie. The Convener proposed that consideration of the application continue in Mr McKenzie's absence and this was agreed unanimously.

After consideration of all matters before the Board, including receiving an assurance that there would be no encroachment within the boundary or airspace of the Cenotaph the meeting adjourned to allow members to consider the matter. The meeting was reconvened and the Convener proposed that the application be granted for the period from 24 November to 24 December 2017 subject to the production by the applicant of the appropriate ride safety certificates. This was agreed unanimously.

DECIDED: That the application be granted for the period from 24 November to 24 December 2017 subject to the production by the applicant of the appropriate insurance certificates and an undertaking that there would be no encroachment within the boundary or the airspace of the Cenotaph.

5 Grant of Market Operator's Licence - Personal Appearance

There was submitted the undernoted application for the grant of a Market Operator's licence. The applicant had been asked to appear personally for the first time together with Thompson McKenzie who had submitted a representation to the application: -

Mr Taylor and Ms Kerr, representing the applicant were invited into the meeting. There was no appearance by or on behalf of Mr McKenzie. The Convener proposed that consideration of the application continue in Mr McKenzie's absence and this was agreed unanimously.

The Convener proposed that the application be granted for the period from 24 November to 24 December 2017 subject to the production of an updated site plan prior to 24 November 2017. This was agreed unanimously.

DECIDED: That the application be granted for the period from 24 November to 24 December 2017 subject to the production of an updated site plan prior to 24 November 2017.