

## Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Thursday, 16 November 2023	10:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

**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

R Graham, Senior Solicitor (Litigation & Regulatory Services), E Currie, Senior Committee Services Officer, D Cunningham and A Easdon, both Committee Services & Licensing Officers and R McCallum, Licensing & Committee Assistant (all Finance & Resources).

### Apologies

Councillors Montgomery and Rodden and Councillor Mullin (for lateness).

### Declarations of Interest and Transparency Statements

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

### Order of Business

In terms of Standing Order 16, the Convener intimated that he proposed to alter the order of business to facilitate the conduct of the meeting by considering item 11 of the agenda before item 7 of the agenda.

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

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

(a) Applicant: Shell UK Products Limited  
Premises: Shell Hillington, Hillington Industrial Estate, Glasgow  
Activity: convenience store on petrol forecourt  
Operating hours: Monday to Sunday - 11.00 pm to 5.00 am  
Licence No.: LHC025

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: Shell UK Products Limited  
Premises: Shell Erskine, Centreholm Roundabout, Erskine  
Activity: convenience store located on petrol forecourt  
Operating hours: Monday to Sunday - 11.00 pm to 5.00 am  
Licence No.: LHC028

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.

## 2 **Surrender and Re-issue of Taxi Operator's Licence**

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

Present Operator: Allan Hill  
Proposed Operator: Brian Bryce  
Licence No.: TX046

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

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

### 3 **Surrender and Re-issue of Taxi Operator's Licence - Personal Appearances**

There was submitted the undernoted application for surrender and re-issue of a Taxi Operator's Licence. The applicants had been asked to appear personally for the first time:-

Present Operator: Desmond Watters  
Proposed Operator: Peter Smith  
Licence No.: TX201

Mr Watters and Mr Smith, the applicants, were invited into the meeting. After consideration of all matters before the Board, the Convener proposed that the application be granted. This was agreed unanimously.

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

### **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.

### **Transparency Statement**

At this point in the meeting, Councillor Steel declared a connection to the following item of business by reason that one of the applicants was a constituent in his Ward. However, he indicated that he had applied the objective test and did not consider he had an interest to declare.

### 4 **Surrender and Re-issue of Taxi Operator's Licence - Personal Appearances**

There was submitted the undernoted application for surrender and re-issue of a Taxi Operator's Licence. The applicants had been asked to appear personally for the first time:-

Present Operator: Scott McArthur  
Proposed Operator: Jared Gatley  
Licence No.: TX186

Mr McArthur, one of the applicants and Mrs Gatley, on behalf of Mr Gatley, the other applicant, were invited into the meeting. After consideration of all matters before the Board, the Convener proposed that the application be granted. This was agreed unanimously.

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

## 5 **Grant of Taxi Drivers' Licences - Personal Appearances**

There were submitted the undernoted applications for grant of Taxi Drivers' Licences. The applicants had been asked to appear personally for the first time together with Police Scotland who had submitted a representation to application (c):-

(a) Moloy Sarker

There was no appearance by or on behalf of Mr Sarker, the applicant. 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.

(b) Sadegh Fathali Javin

There was no appearance by or on behalf of Mr Javin, the applicant. The Convener proposed that consideration of the application be continued and 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.

(c) Hasan Babelli

Mr Babelli, the applicant, was invited into the meeting together with Sergeant Robertson, 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.

## 6 **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 an objection to application (a):-

(a) Hamzeh Karimi

There was no appearance by or on behalf of Mr Karimi, the applicant. Sergeant Robertson, on behalf of the Chief Constable who had submitted an objection to the application, was invited into the meeting. The Convener proposed that the application be considered in his absence. The Senior Solicitor (Litigation & Regulatory Services) intimated that Mr Karimi had advised that he was unable to attend the meeting and had requested that consideration of his application be continued to a future meeting. After consideration of this matter, the Convener proposed that the application be considered in Mr Karimi's absence. This was agreed unanimously. After consideration of all matters

before the Board, the Convener proposed that the application be refused. This was agreed.

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

(b) Vahid Faridsadeghi

Mr Faridsadeghi, the applicant, 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. This was agreed unanimously.

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

(c) Bezhan Mansoor Poor

Mr Poor, the applicant, 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. This was agreed unanimously.

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

(d) Shaker Malekzai

Mr Malekzai, the applicant, 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. This was agreed unanimously.

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

### **Sederunt**

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

(e) Mozammil Jomaa

Mr Jomaa, the applicant, 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. This was agreed unanimously.

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

(f) Ahmed Saghir Muhammad

Mr Muhammad, the applicant, and his friend, Mr Shahid, were 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. This was agreed unanimously.

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

(g) Md Aitkur Rahman

Mr Rahman, the applicant, 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. This was agreed unanimously.

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

(h) Yousif Mutasim Yousif Babiker

Mr Babiker, the applicant, 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. This was agreed unanimously.

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

## **Adjournment**

The meeting adjourned at 11.50 am and reconvened at 1.30 pm.

## **Sederunt**

Councillor Hughes was not in attendance when the meeting reconvened.

### **7 Grant of Street Trader's Licence - Personal Appearance**

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

Applicant: Dorjan Rabija

Authorised goods: fast food fish and chips and drinks

Trading from: Foxbar, Ferguslie, Gallowhill and Hunterhill areas of Paisley and Renfrew

Operating hours: Ferguslie - Monday and Friday - 3.00 pm to 11.00 pm; Hunterhill – Tuesday - 3.00 pm to 11.00 pm; Gallowhill - Wednesday and Saturday - 3.00 pm to 11.00 pm; Renfrew – Thursday - 3.00 pm to 11.00 pm and Foxbar – Sunday - 3.00 pm to 11.00 pm

Mr Rabija, the applicant, and his Solicitor, Mr Kinloch, were 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. This was agreed unanimously.

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

### **8 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:-

Ali Shah Khamoosh

Mr Khamoosh, the applicant, 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. This was agreed unanimously.

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

9 **Grant of Private Hire Car Driver's Licence and Grant of Private Hire Car Operator's Licence - Personal Appearance**

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

Safiullah Masood

Mr Masood, the applicant, was invited into the meeting. The Convener proposed that both applications be considered together but that separate decisions be made. This was agreed unanimously. After consideration of all matters before the Board, the Convener proposed (i) that Mr Masood's application for grant of a Private Hire Car Driver's Licence be granted for a period of one year and (ii) that consideration of Mr Masood's application for grant of a Private Hire Car Operator's Licence be continued and that the applicant be invited to a future meeting of the Board. This was agreed unanimously.

**DECIDED:**

(a) That Mr Masood's application for grant of a Private Hire Car Driver's Licence be granted for a period of one year; and

(b) That consideration of Mr Masood's application for grant of a Private Hire Car Operator's Licence be continued and that the applicant be invited to a future meeting of the Board.

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

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

Lennyedersen De Jesus Barbosa

Mr Barbosa, the applicant, and his friend Mr Mohammed were invited into the meeting. After consideration of matters before the Board, the Convener proposed that consideration of the application be continued until later in the meeting. This was agreed unanimously.

**DECIDED:** That consideration of the application be continued until later in the meeting.

## 11 Exemption from Mobility Assistance Duties - Personal Appearances

There were submitted the undernoted applications for exemption from drivers' duties to provide mobility assistance under the Equality Act 2010. The applicants had been asked to appear personally for the first time:-

(a) Thomas Robertson  
Licence No.: T1644

Mr Robertson, the applicant, was invited into the meeting. After consideration of all matters before the Board, the Convener proposed that the application be granted for the duration of Mr Robertson's current Taxi Driver's Licence. This was agreed unanimously.

**DECIDED:** That the application be granted for the duration of Mr Robertson's current Taxi Driver's Licence.

(b) James Tiffoney  
Licence No.: T0171

Mr Tiffoney, the applicant, was invited into the meeting. After consideration of all matters before the Board, the Convener proposed that the application be granted for the duration of Mr Tiffoney's current Taxi Driver's Licence. This was agreed unanimously.

**DECIDED:** That the application be granted for the duration of Mr Tiffoney's current Taxi Driver's Licence.

(c) Christopher Ritchie  
Licence No.: T0178

Mr Ritchie, the applicant, was invited into the meeting. After consideration of all matters before the Board, the Convener proposed that the application be granted for the duration of Mr Ritchie's current Taxi Driver's Licence. This was agreed unanimously.

**DECIDED:** That the application be granted for the duration of Mr Ritchie's current Taxi Driver's Licence.

(d) Peter White  
Licence No.: T2507

Mr White, the applicant, was invited into the meeting. After consideration of all matters before the Board, the Convener proposed that the application be granted for the duration of Mr White's current Taxi Driver's Licence. This was agreed unanimously.

**DECIDED:** That the application be granted for the duration of Mr White's current Taxi Driver's Licence.



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

Under reference to item 10 of the Minute of the meeting of this meeting, consideration was resumed of the undernoted application for grant of a Private Hire Car Operator's Licence. The applicant had been asked to appear personally for the second time:-

Lennyedersen De Jesus Barbosa

Mr Barbosa, the applicant, and his friend Mr Mohammed were invited back 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. This was agreed unanimously.

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