

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Thursday, 18 February 2016	10:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

PRESENT

Councillors B Brown, M Brown, E Devine, M Devine, Hood, Provost Hall, Councillors McQuade and Mullin.

CHAIR

Councillor Hood, Convener, presided.

IN ATTENDANCE

D Campbell, Assistant Managing Solicitor (Licensing), E Currie, Senior Committee Services Officer, K Whiteside, Licensing Officer (Paralegal), G McIntosh, Civic Government Enforcement Officer (for items 1 to 3 only) and N Barr, Senior Clerical Assistant (all Finance & Resources).

APOLOGIES

Provost Hall, for lateness, and Councillor McEwan.

DECLARATIONS OF INTEREST

Councillor E Devine declared a non-financial interest in relation to items 6 and 7 of the agenda as he had knowledge of the background to the applications and indicated his intention to leave the meeting during consideration of the items and not to take part in any discussions or voting thereon.

EXCLUSION OF PRESS AND PUBLIC

The Board resolved that the press and public be excluded from the meeting during consideration of items 1, 2, 3, 4, 5 and 6 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 GRANT OF SKIN PIERCING AND TATTOOING LICENCE - PERSONAL APPEARANCE

Under reference to item 5 of the Minute of the meeting of this Board held on 20 January 2016 consideration was resumed of the undernoted application for the grant of a Skin Piercing and Tattooing Licence. The applicant had been asked to appear personally for the second time together with Police Scotland who had submitted an objection to the application:-

Applicant: Mohawk Tattoo Studio, 77 Torrisdale Street, Glasgow
Premises: 9 Old Sneddon Street, Paisley
Authorised activity: tattooing and cosmetic body piercing
Operating hours: 7 days per week – 10.00 am to 7.00 pm

Mr Lazar, on behalf of the applicant, and his Solicitor, Mr Robertson, were invited into the meeting together with Sergeant Hart and Constable White, 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.

Councillor Hood, seconded by Councillor Mullin, moved that the application be granted for a period of one year.

Councillor M Devine, seconded by Councillor E Devine, moved as an amendment that the application be refused.

In terms of Standing Order 30 the Convener intimated that the vote would be by a show of hands.

On a vote being taken, 2 members voted for the amendment and 5 members voted for the motion. The motion was accordingly declared carried.

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

SEDERUNT

Provost Hall entered the meeting prior to consideration of the following item.

2 HEARING INTO POSSIBLE SUSPENSION OF TAXI DRIVER'S LICENCE - PERSONAL APPEARANCE

Under reference to item 7 of the Minute of the meeting of this Board held on 20 January 2016 consideration was resumed of the possible suspension of the undernoted Taxi Driver's Licence. The licence holder had been asked to appear personally for the second time:-

James Cumming, Flat 2/2, 21 Bowfield Avenue, Glasgow

There was no appearance by or on behalf of Mr Cumming. The Convener proposed that this matter be considered in Mr Cumming's absence and this was agreed unanimously. After consideration of all matters before the Board, the Convener proposed that Mr Cumming's Taxi 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 Cumming's Taxi Driver's Licence be suspended for the unexpired portion of the duration of the licence with immediate effect.

3 HEARING INTO POSSIBLE SUSPENSION OF PRIVATE HIRE CAR DRIVER'S LICENCE - PERSONAL APPEARANCE

The Board considered the possible suspension 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:-

John McCarrey, 8C Graham Street, Johnstone

Mr McCarrey, the licence holder, and his partner, Ms Brady, were invited into the meeting together with Sergeant Hart and Constable White, on behalf of the Chief Constable. After consideration of all matters before the Board, the Board adjourned to allow members to consider this matter. The meeting was reconvened and the Convener proposed that the licence be not suspended. This was agreed unanimously.

DECIDED: That the licence be not suspended.

4 GRANT OF PRIVATE HIRE CAR DRIVER'S LICENCE - PERSONAL APPEARANCE

There was submitted the undernoted application for the grant of a Private Hire Car Driver'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:-

John Maguire, 19 Inchgower Road, Stepps, Glasgow

Mr Maguire, the applicant, was invited into the meeting together with Sergeant Hart and Constable White, 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.

5 GRANT OF PRIVATE HIRE CAR LICENCE - PERSONAL APPEARANCE

There was submitted the undernoted application for the grant of a Private Hire Car 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:-

Muhammad Yaseen, Flat 1/1, 3 North Gower Street, Glasgow

Mr Yaseen, the applicant, and his wife, Mrs Yaseen, were invited into the meeting together with Sergeant Hart and Constable White, on behalf of the Chief Constable who had submitted an objection to the application. In the course of submissions before the Board, the Board adjourned to allow matters to be clarified to members. The meeting was reconvened.

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.

ADJOURNMENT

The meeting adjourned at 1.05 pm and reconvened at 1.10 pm.

DECLARATION OF INTEREST

Councillor E Devine having declared an interest in the following items of business left the meeting and did not take part in any discussions or voting thereon.

6 GRANT OF STREET TRADER'S LICENCE - PERSONAL APPEARANCE

There was submitted the undernoted application for the grant of a Street Trader's Licence. The applicant had been asked to appear personally for the first time together with the Director of Community Resources who had submitted a representation to the application and Police Scotland who had submitted an objection received outwith the statutory timescale to the application:-

Applicant: Paul Browne, 170A Paisley Road, Renfrew

Trading from: across from Decathlon, Old Govan Road, Renfrew

Authorised activity: carwash using van

Operating hours: Monday to Friday – 8.00 am to 5.00 pm and

Saturday - 7.00 am to 5.00 pm

Sunday – 8.00 am to 3.00 pm

Mr Browne, the applicant, and his father, Mr Browne, were invited into the meeting together with Sergeant Hart and Constable White, on behalf of the Chief Constable who had submitted an objection received outwith the statutory timescale to the application and Mr Everett, on behalf of the Director of Community Resources.

The Assistant Managing Solicitor (Licensing) advised that the Director of Community Resources had submitted an objection to the application and not a representation as stated in the citation letter and agenda for the meeting.

On hearing the reasons for the lateness of the objection from Police Scotland it was decided that the objection be taken into account when the application was being considered.

After consideration of matters before the Board the Convener proposed that consideration of the application be continued for a site visit and that the applicant and objectors be invited to a future meeting of the Board. This was agreed unanimously.

DECIDED: That consideration of the application be continued for a site visit and that the applicant and objectors be invited to a future meeting of the Board.

7 RENEWAL OF HOUSE IN MULTIPLE OCCUPATION LICENCE - PERSONAL APPEARANCE

There was submitted the undernoted application for renewal of a House in Multiple Occupation Licence. The applicant had been asked to appear personally for the first time together with the Director of Community Resources who had submitted a representation to the application:-

Applicant: Bei Bei Liu

Premises: Flat 2/2, 12 Sandholes Street, Paisley

The Assistant Managing Solicitor (Licensing) advised that this application had been granted by the Head of Corporate Governance under delegated authority for a period of three years.

DECIDED: That it be noted that the application had been granted by the Head of Corporate Governance under delegated authority for a period of three years.

SEDERUNT

Councillor E Devine re-entered the meeting.

8 GRANT OF LANDLORD REGISTRATION - PERSONAL APPEARANCE

There was submitted the undernoted application for the grant of Landlord Registration. The applicant had been asked to appear personally for the first time:-

Garry Clifford, 81 Wheatlands Drive, Kilbarchan

Mr Clifford, 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 three years. This was agreed unanimously.

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

9 VARIATION OF PRIVATE HIRE CAR LICENCE

There was submitted the undernoted application for variation of a Private Hire Car Licence:-

Applicant: United Taxis (Scotland) Limited, 6 Auchengreoch Avenue, Johnstone
Variation: to carry 8 passengers
Licence no.: PH634

The Convener proposed that the application be granted and that the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to this Private Hire Car Licence and that this vehicle be licensed to carry 8 passengers. This was agreed unanimously.

DECIDED: That the application be granted and that the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to this Private Hire Car Licence and that this vehicle be licensed to carry 8 passengers.

10 GRANT OF LATE HOURS CATERING LICENCE

There was submitted the undernoted application for the grant of a Late Hours Catering Licence:-

Applicant: DSR Restaurants Limited T/A McDonalds
Premises: Unit K, Braehead Retail Park, Kingsinch Road, Glasgow
Authorised activity: fast food
Operating hours: 7 days per week – 11.00 pm to 5.00 am

The Convener proposed that the applicant be allowed to be an exception to the Board’s policy on trading hours and that the application be granted for a period of one year. This was agreed unanimously.

DECIDED: That the application be allowed to be an exception to the Board’s policy on trading hours and that the application be granted for a period of one year.