

Minute of Meeting

Regulatory Functions Board

Date	Time	Venue
Thursday, 22 September 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, Provost Hall and Councillors Hood and McQuade.

CHAIR

Councillor Hood, Convener, presided.

IN ATTENDANCE

M Conaghan, Legal and Democratic Services Manager (for items 4(a) and 4(b) only); D Campbell, Assistant Managing Solicitor (Licensing); E Currie, Senior Committee Services Officer; K Whiteside, Licensing Officer (Paralegal) and G McIntosh, Civic Government Enforcement Officer (for items 4(a) and 4(b) only) (all Finance & Resources).

APOLOGY

Councillor Mullin.

DECLARATIONS OF INTEREST

There were no declarations of interest 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 6 of the agenda after item 1(c) of the agenda and item 2 of the agenda after item 5(b) of the agenda.

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(b), 5(b) 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 PRIVATE HIRE CAR DRIVERS' LICENCES - PERSONAL APPEARANCES

There were submitted the undernoted applications for the 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 a representation received outwith the statutory timescale to application (a); a representation to application (b) and an objection to application (c):-

(a) MD Shami UI Hasan, 68G Paisley Road, Renfrew

Mr Hasan, the applicant, and Mr Sarker, were invited into the meeting together with Inspector Kirkwood and Sergeant Curran, on behalf of the Chief Constable who had submitted a representation received outwith the statutory timescale to the application. On hearing the reasons for the representation being received outwith the statutory timescale it was decided that the representation be taken into account when the application was being considered.

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.

(b) Muhammad Safaraz, 3 Harbour View House, Newry Street, Warrenpoint

The Assistant Managing Solicitor (Licensing) advised that Mr Safaraz had withdrawn his application.

DECIDED: That it be noted that the application had been withdrawn.

(c) Arthur Uchenna Ononye, 4 Rosebank Gardens, Johnstone

Mr Ononye, the applicant, was invited into the meeting together with Inspector Kirkwood and Sergeant Curran, on behalf of the Chief Constable who had submitted an objection to the application. Inspector Kirkwood advised that the Chief Constable wished to withdraw the letter of objection dated 16 June 2016 and replace this with a letter of objection in restricted terms.

The meeting adjourned to allow Mr Ononye to consider his position. The meeting was reconvened and on hearing the reasons for the lateness of this letter of objection being received outwith the statutory timescale to the application it was decided that the objection be taken into account when the application was being considered.

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 PRIVATE HIRE CAR DRIVER'S LICENCE - PERSONAL APPEARANCE

There was submitted the undernoted application for renewal 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 a representation received outwith the statutory timescale to the application:-

Greg Tetley, 1 Castle Crescent, Bishopton

Mr Tetley, the applicant, and Mr Milne, were invited into the meeting together with Inspector Kirkwood and Sergeant Curran, on behalf of the Chief Constable who had submitted a representation received outwith the statutory timescale to the application. On hearing the reasons for the representation being received outwith the statutory timescale it was decided that the representation be taken into account when the application was being considered.

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 two years. This was agreed unanimously.

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

3 GRANT OF TAXI DRIVER'S LICENCE - PERSONAL APPEARANCE

There was submitted the undernoted application for the grant of a Taxi 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:-

Paul McDaid, 11 St Margarets Avenue, Paisley

The Assistant Managing Solicitor (Licensing) advised that Mr McDaid had intimated that he would be unable to attend 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.

ADJOURNMENT

The meeting adjourned at 11.35 am and reconvened at 11.45 am.

SEDERUNT

Councillor M Devine having not been present when the following item had been part heard at the meeting of this Board held on 15 June 2016, left the meeting and took no part in any discussion or voting thereon.

4 GRANT OF TAXI OPERATORS' LICENCES - PERSONAL APPEARANCES

Under reference to item 11 of the Minute of the meeting of this Board held on 15 June 2016 consideration was resumed of application (a) for the grant of Taxi Operators' Licences and there was submitted application (b) for the grant of a Taxi Operator's Licence. Applicant (a) had been asked to appear personally for the second time and applicant (b) for the first time together with James Kilgour, Kenneth Barnes, Anthony Graham, Charles Thomson, Stewart Williamson, William Morrison, Allan Kerr, Ewan Stevenson, Derek McConnachie, John Stewart Reid, Peter Gair, Gordon Barr, Kenneth Sweeney, John William Bryce Boal, Stuart McLean, James Liddell, Colin Wardrop, Iris Dougans, Iain Gordon Kelly, Michael Jaconelli, Stephen McLean, James Dean, Kenneth Brown, John Cooper, Robert Kilpatrick McCaig, Robert McGee, Raymond Reid, Robert Gay, Iain Urquhart, Edward Love, Francis Patrick, Thomas Grant, John Curran and James McGrory, who had submitted objections to application (a); and Jason Tannahill, on behalf of Renfrewshire Public Hire Association, Charles Thomson, and Stewart Williamson, on behalf of Paisley Independent Taxi Owners, who had submitted an objection to application (b):-

(a) Paisley Cab Company Limited, T/A Renfrewshire Cab Company, 33A New Sneddon Street, Paisley – 10 applications

Ms McCulloch, on behalf of the applicant, and Mr McDonald, were invited into the meeting together with James Kilgour, Kenneth Barnes, Anthony Graham, Charles Thomson, Stewart Williamson, William Morrison and John Boal, objectors to the applications. There was no appearance by or on behalf of Allan Kerr, Ewan Stevenson, Derek McConnachie, John Stewart Reid, Peter Gair, Gordon Barr, Kenneth Sweeney, Stuart McLean, James Liddell, Colin Wardrop, Iris Dougans, Iain Gordon Kelly, Michael Jaconelli, Stephen McLean, James Dean, Kenneth Brown, John Cooper, Robert Kilpatrick McCaig, Robert McGee, Raymond Reid, Robert Gay, Iain Urquhart, Edward Love, Francis Patrick, Thomas Grant, John Curran and James McGrory, objectors to the applications.

After consideration of all matters before the Board, the Board adjourned to allow members to consider these applications. The meeting was reconvened and the Convener proposed that all 10 applications be granted for a period of one year subject to the usual conditions as well as additional conditions that a vehicle meeting the requirements of condition 22 to each licence be attached to each licence by 1 December 2016 and prior to operating under the terms of the licences and that insurance meeting the terms of condition 6 be arranged for each licence by 1 December 2016. This was agreed unanimously.

DECIDED: That all 10 applications be granted for a period of one year subject to the usual conditions as well as additional conditions that a vehicle meeting the requirements of condition 22 to each licence be attached to each licence by 1 December 2016 and prior to operating under the terms of the licences and that insurance meeting the terms of condition 6 be arranged for each licence by 1 December 2016.

SEDERUNT

Councillor M Devine re-entered the meeting.

(b) John Stewart Reid, 12 Turnberry Drive, Bridge of Weir

Mr Reid, the applicant, and his representative, Mr Barnes, were invited into the meeting together with Jason Tannahill and Russell Guthrie, on behalf of Renfrewshire Public Hire Association, Charles Thomson, and Stewart Williamson, on behalf of Paisley Independent Taxi Owners, objectors to the application. Both Mr Thomson and Mr Williamson withdrew their objections and left 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 usual conditions as well as additional conditions that a vehicle meeting the requirements of condition 22 to the licence be attached to the licence by 1 December 2016 and prior to operating under the terms of the licence and that insurance meeting the terms of condition 6 be arranged for the licence by 1 December 2016. This was agreed unanimously.

DECIDED: That the application be granted for a period of one year subject to the usual conditions as well as additional conditions that a vehicle meeting the requirements of condition 22 to the licence be attached to the licence by 1 December 2016 and prior to operating under the terms of the licence and that insurance meeting the terms of condition 6 be arranged for the licence by 1 December 2016.

ADJOURNMENT

The meeting adjourned at 1.00 pm and reconvened at 1.30 pm.

SEDERUNT

Councillor M Brown was not in attendance.

5 SURRENDER AND RE-ISSUE OF TAXI OPERATORS' LICENCES - PERSONAL APPEARANCE

There were submitted the undernoted applications for the surrender and re-issue of Taxi Operators' Licences. Applicants (a) had been asked to appear personally for the first time:-

(a) Present Operator: Janet Barclay, 14 Camps Crescent, Renfrew

Proposed Operator: The Partnership of J & T Taxis, 14 Camps Crescent, Renfrew

The Assistant Managing Solicitor (Licensing) advised that the applicants had intimated that they would be unable to attend the meeting. The Convener proposed that consideration of the application be continued and that the applicants be invited to a future meeting of the Board. This was agreed unanimously.

DECIDED: That consideration of the application be continued and that the applicants be invited to a future meeting of the Board.

(b) Present Operator: Anthony Graham, 24 Carmunnock Road, Glasgow

Proposed Operator: Iain Urquhart, partridge Corner, West Glen Road, Langbank

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

DECIDED: That the application be granted.

6 RENEWAL OF PRIVATE HIRE CAR DRIVER'S LICENCE - PERSONAL APPEARANCE

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

Abdul Karim Khalid, 49 Keir Street, Pollockshields, Glasgow

Mr Khalid, 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 two years. This was agreed unanimously.

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

7 GRANT OF LATE HOURS CATERING LICENCES - PERSONAL APPEARANCES

There were submitted the undernoted applications for the grant of Late Hours Catering Licences. The applicant had been asked to appear personally for the first time:-

(a) Applicant: Select Service Partner UK Limited, 169 Euston Road, London
Premises: James Martin Kitchen, Glasgow Airport Airside, Abbotsinch, Paisley
Authorised Goods: hot and cold food and drinks
Operating Hours: 7 days per week – 11.00 pm to 5.00 am

Mr Caldwell, on behalf of the applicant, and Mr McDougall, Solicitor, were invited into the meeting. After consideration of all matters before the Board, the Convener proposed 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. 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.

(b) Applicant: Select Service Partner UK Limited, 169 Euston Road, London
Premises: Panopolis, Glasgow Airport Airside, Abbotsinch, Paisley
Authorised Goods: hot and cold food and drinks
Operating Hours: 7 days per week – 11.00 pm to 5.00 am

Mr Caldwell, on behalf of the applicant, and Mr McDougall, Solicitor, were invited into the meeting. After consideration of all matters before the Board, the Convener proposed 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. 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.

8 RENEWAL OF LATE HOURS CATERING LICENCES

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

(a) Applicant: Select Service Partner UK Limited, 169 Euston Road, London
Premises: Starbucks, Glasgow Airport, Arrivals Hall, Abbotsinch, Paisley
Authorised Goods: hot and cold food and drinks
Operating Hours: 7 days per week – 11.00 pm to 5.00 am

The Convener proposed 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 two years. 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 two years.

(b) Applicant: Select Service Partner UK Limited, 169 Euston Road, London
Premises: Starbucks, Glasgow Airport, Main International Departures Lounge, Abbotsinch, Paisley
Authorised Goods: hot and cold food and drinks
Operating Hours: 7 days per week – 11.00 pm to 5.00 am

The Convener proposed 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 two years. 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 two years.

9 VARIATION OF PRIVATE HIRE CAR OPERATOR'S LICENCE

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

Applicant: Paul Gibson, Glenleitch Farm, Fenwick
Variation: to carry 8 passengers

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 Mr Gibson's Private Hire Car Licence and that Mr Gibson's 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 Mr Gibson's Private Hire Car Licence and that Mr Gibson's vehicle be licensed to carry 8 passengers.