

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Thursday, 03 December 2015	10:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

PRESENT

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

CHAIR

Councillor Hood, Convener, presided.

IN ATTENDANCE

D Campbell, Assistant Managing Solicitor (Licensing); E Currie, Senior Committee Services Officer, K Whiteside, Paralegal Administrative Officer and G Allison, Graduate Intern (all Finance & Resources).

APOLOGIES

Councillors B Brown and M Brown.

DECLARATIONS OF INTEREST

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

ADDITIONAL ITEMS

The Convener intimated that there were additional items in relation to applications for the surrender and re-issue of Taxi Licences which had not been included in the notice calling the meeting. The Convener, being of the opinion that the items, which are dealt with at item 4 of this Minute, were urgent in view of the need to determine the matters at this time authorised their consideration.

1 **GRANT OF PUBLIC ENTERTAINMENT LICENCES - PERSONAL APPEARANCE**

There were submitted the undernoted applications for the grant of Public Entertainment Licences. The applicant had been asked to appear personally for the first time together with the Director of Community Resources who had submitted representations to the applications and Linwood Community Council who had submitted an objection to application (b):-

(a) Applicant: Terem Travel Service, 5 Oswald Street, Glasgow
Premises: 4 County Place, Paisley
Activity: Tanning Salon
Operating hours: 7 days per week – 9.00 am to 10.00 pm

(b) Applicant: Terem Travel Service, 5 Oswald Street, Glasgow
Premises: Unit 3B Clippens Road, Linwood
Activity: Tanning Salon
Operating hours: 7 days per week – 9.00 am to 10.00 pm

The Assistant Managing Solicitor (Licensing) advised that the applicant had withdrawn these applications.

DECIDED: That it be noted that the applications had been withdrawn.

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.

2 **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 the grant of a Private Hire Car Driver's Licence and 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 objections to the applications:-

Sakib Khan, Flat 17/1, 150 Charles Street, Glasgow

Mr Khan, the applicant, was invited into the meeting together with Inspector Thomson and Sergeant Curran, on behalf of the Chief Constable who had submitted objections to the applications. The Convener proposed that both applications be heard together and that separate decisions would be reached. This was agreed unanimously.

After consideration of all matters before the Board, the Board adjourned to allow members to consider these applications. The meeting was reconvened.

Councillor Hood, seconded by Councillor E Devine, moved that Mr Khan's Private Hire Car Driver's Licence be granted for a period of one year.

Councillor McQuade, seconded by Councillor M Devine, moved as an amendment that Mr Khan's Private Hire Car Driver's Licence 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, 4 members voted for the amendment and 3 members voted for the motion. The amendment was accordingly declared carried.

Councillor Hood, seconded by Councillor E Devine, moved that Mr Khan's Private Hire Car Licence be granted for a period of one year.

Councillor McQuade, seconded by Councillor M Devine, moved as an amendment that Mr Khan's Private Hire Car Licence 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:

(a) That Mr Khan's Private Hire Car Driver's Licence be refused; and

(b) That Mr Khan's Private Hire Car Licence be granted for a period of one year.

3 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 to application (a); objections to applications (b) and (c); and a representation received outwith the statutory timescale to application (d):-

(a) Paul Welsh, 26 Melrose Avenue, Linwood

Mr Welsh, the applicant, and his brother-in-law, Mr Duncan, were invited into the meeting together with Inspector Thomson and Sergeant Curran, on behalf of the Chief Constable who had submitted a representation 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 granted for a period of one year. This was agreed unanimously.

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

(b) Michael McAdam, 35 Abernethy Drive, Linwood

Mr McAdam, the applicant, was invited into the meeting together with Inspector Thomson and Sergeant Curran, on behalf of the Chief Constable who had submitted an objection to the application and not a representation to the application as indicated in the citation letter issued to Mr McAdam and the agenda for this meeting.

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 one year. This was agreed.

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

RECORDING OF DISSENT

Councillor McEwan being the mover of an amendment which failed to find a seconder requested that her dissent be recorded in terms of Standing Order 24.

(c) Allan Denholm, 35 Munro Drive, Kilbirnie

Mr Denholm, the applicant, and his uncle, Mr Greig, were invited into the meeting together with Inspector Thomson and Sergeant Curran, 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 six months.

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, 3 members voted for the amendment and 4 members voted for the motion. The motion was accordingly declared carried.

DECIDED: That the application be granted for a period of six months.

(d) Gordon MacMillan, 125 Tannahill Crescent, Johnstone

Mr MacMillan, the applicant, was invited into the meeting together with Inspector Thomson and Sergeant Curran, on behalf of the Chief Constable who had submitted a representation received outwith the statutory timescale to the application.

As a preliminary point, Mr MacMillan requested that the Board not consider the representation received outwith the statutory timescale from Police Scotland as the information contained in the letter would have been readily available to Police Scotland allowing them to comment on his application within the timescale allowed.

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 one year. This was agreed unanimously.

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

4 **SURRENDER AND RE-ISSUE OF TAXI LICENCES**

There were submitted the undernoted applications for the surrender and re-issue of Taxi Licences:-

(a) Present Operator: Steven McMillan, 51 Spinners Gardens, Paisley
Proposed Operator: Neil McCaig, 46 Lochy Place, Erskine Licence No.: TX061

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

DECIDED: That the application be granted.

(b) Present Operator: Donald Jackson, 123 Craighaw Avenue, Eaglesham
Proposed Operator: Ian Mottram, 13 Marjory Road, Renfrew Licence No.: TX027

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

DECIDED: That the application be granted.