

## Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Wednesday, 17 August 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

D McEwen, Public Health Enforcement Officer (Community Resources) (for items 1 to 5 only); and D Campbell, Assistant Managing Solicitor (Licensing), P Shiach, Committee Services Officer, K Whiteside, Licensing Officer (Paralegal) and G McIntosh, Civic Government Enforcement Officer (for item 1 only) (all Finance & Resources).

### APOLOGIES

Councillors McEwan and Mullin.

### DECLARATIONS OF INTEREST

Provost Hall declared a non-financial interest in relation to item 2 of the agenda and indicated her intention to leave the meeting during consideration of the item 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, 6(a), 6(b), 7, 8 and 9 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 IMMEDIATE SUSPENSION AND HEARING INTO THE POSSIBLE SUSPENSION OF PRIVATE HIRE CAR DRIVER'S LICENCE P4051 – PERSONAL APPEARANCE**

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

William Belford, 23H Renfield Street, Renfrew.

Mr Banks, Solicitor, representing Mr Belford was invited into the meeting together with Inspector Thomson, Sergeant Curran and Constable Whitelaw on behalf of the Chief Constable.

After consideration of all matters before the Board, the Convener proposed that Mr Belford'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 Belford's Private Hire Car Driver's Licence be suspended for the unexpired portion of the duration of the licence with immediate effect.

## **DECLARATION OF INTEREST**

Provost Hall having previously declared an interest left the meeting prior to consideration of the following item of business.

### **2 GRANT OF A PUBLIC ENTERTAINMENT LICENCE: SCOTTISH AFRO CARIBBEAN CARNIVAL – BARSHAW PARK, GLASGOW ROAD, PAISLEY - 20 AUGUST 2016 – PERSONAL APPEARANCE**

There was submitted the undernoted application for grant of a Public Entertainment Licence. The applicant had been asked to appear personally for the first time together with Police Scotland who had submitted representations to the application received outwith the statutory timescale to the application: -

Scottish Afro Caribbean Carnival, Barshaw Park, Glasgow Road, Paisley.

Mr Stewart, the applicant and Councillor J Sharkey were invited into the meeting together with Inspector Thomson, Sergeant Curran and Constable Whitelaw representing the Chief Constable who had submitted representations to the application outwith the statutory timescale to the application.

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

In terms of the second representation the applicant submitted an objection to the representation being circulated on the grounds that it raised new issues. On hearing the reasons for the lateness of the second representation from Police Scotland 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 the application. The meeting was reconvened and the Convener proposed that the application be granted subject to the following additional conditions requested by Police Scotland. This was agreed unanimously. Mr Stewart also agreed to the additional conditions:-

- "(i) To have appropriate safety/evacuation contingency plans in place;
- (ii) Minimum of 20 frontline SIA licensed stewards on duty at any one time at the event;
- (iii) No stewards should be under the influence of drugs/alcohol. If any are found to be so they shall be prevented from carrying out their duties and the stewarding supervisor shall be responsible for providing replacements;
- (iv) All stewards should be easily identifiable wearing appropriate attire that enables immediate identification;
- (v) All entrances and exits to be free from obstruction and steward-supervised throughout the event;
- (vi) Numbers of persons permitted entry to the event to be effectively and strictly monitored, adhering to the maximum limit of 2500 persons admitted at any one time;
- (vii) Any persons entering the site may be subject to search, including vehicle, bags and personal belongings; and
- (viii) All advertising posters/placards will be removed no later than seven days after the event."

**DECIDED:** That the application be granted subject to the following additional conditions:-

- "(i) To have appropriate safety/evacuation contingency plans in place;
- (ii) Minimum of 20 frontline SIA licensed stewards on duty at any one time at the event;
- (iii) No stewards should be under the influence of drugs/alcohol. If any are found to be so they shall be prevented from carrying out their duties and the stewarding supervisor shall be responsible for providing replacements;
- (iv) All stewards should be easily identifiable wearing appropriate attire that enables immediate identification;
- (v) All entrances and exits to be free from obstruction and steward-supervised throughout the event;
- (vi) Numbers of persons permitted entry to the event to be effectively and strictly monitored, adhering to the maximum limit of 2500 persons admitted at any one time;
- (vii) Any persons entering the site may be subject to search, including vehicle, bags and personal belongings; and
- (viii) All advertising posters/placards will be removed no later than seven days after the event."

## **SEDERUNT**

Provost Hall re-entered the meeting.

### **3 GRANT OF LANDLORD REGISTRATION – PERSONAL APPEARANCES**

There were submitted the undernoted applications for grant of Landlord Registration. The applicants had been asked to appear personally for the first time together with Police Scotland who had submitted representations in respect of applications (b), (c) and (d).

(a) Kirsty Young, 13 Hunterhill Road, Paisley

Ms Young, the applicant was invited into the meeting.

After consideration of all matters before the Board, the Board adjourned to allow members to consider the application. The meeting was reconvened and the Convener proposed that the application be refused. This was agreed unanimously.

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

(b) Christopher Watson, Vital Property Developments, 9 Spinners Gardens, Paisley

There was no appearance by or on behalf of Mr Watson. Inspector Thomson, Sergeant Curran and Constable and Constable Whitelaw representing the Chief Constable who had submitted a representation to the application were invited into the meeting.

The Convener proposed that the application be considered in Mr Watson'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 unanimously.

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

(c) Edward Duffy, 10 Kilnknowe Cottages, Midton Road, Howwood

There was no appearance by or on behalf of Mr Duffy. Inspector Thomson, Sergeant Curran and Constable and Constable Whitelaw representing the Chief Constable who had submitted a representation to the application were invited into the meeting.

The Convener proposed that the application be considered in Mr Duffy's absence. This was agreed unanimously.

After consideration of all matters before the Board, the Convener proposed that the application be continued. This was agreed unanimously.

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

(d) Jonathon Murphy, Anchorage, Hagg Crescent, Johnstone

Mr Murphy, the applicant was invited into the meeting together with Inspector Thomson, Sergeant Curran and Constable Whitelaw representing the Chief Constable who had submitted a representation to the application.

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.

#### 4 **RENEWAL OF LANDLORD REGISTRATION – PERSONAL APPEARANCES**

There were submitted the undernoted applications for the renewal of Landlord Registration. The applicants had been asked to appear personally for the first time.

- (a) Mohammed Younis, 34 Carmichael Place, Glasgow
- (b) Mohamed Razaq, 12 May Terrace, Glasgow
- (c) Mohamed Ishfaq, 12 May Terrace, Glasgow

Ms M Archer and Mr T Bashir representing all three applicants were invited into the meeting.

The Senior Solicitor (Litigation and Regulatory Function) asked Ms Archer if she would be happy to address the Board only once on all three applications with the Board reaching separate decisions on the applications or if she wished to address the Board separately on all three applications. Ms Archer advised that she would be happy to address the Board only once on all three applications with the Board reaching separate decisions on the applications.

After consideration of all matters before the Board the Convener proposed that all three applications be continued. This was agreed unanimously.

**DECIDED:** That all three applications be continued.

#### 5 **HEARING INTO THE POSSIBLE REMOVAL FROM THE REGISTER OF PRIVATE LANDLORDS – PERSONAL APPEARANCE**

The Board considered the possible removal from the Register of Private Landlords of the undernoted. The licence holder had been asked to appear personally for the first time together with Police Scotland who had submitted a representation in relation to the licence holder:-

Jonah Ditton, Ditton Holdings, Top Floor, 90 Mitchell Street, Glasgow

Mr Ditton, the licence holder and Mr Banks were invited into the meeting together with Inspector Thomson, Sergeant Curran and Constable Whitelaw representing the Chief Constable who had submitted a representation in relation to the licence holder.

After consideration of all matters before the Board, the Convener proposed that the possible removal of the licence holder from the Register of Private Landlords be continued to a future meeting of the Board. This was agreed unanimously.

**DECIDED:** That consideration of the possible removal of the licence holder from the Register of Private Landlords be continued to a future meeting of the Board.

#### **ADJOURNMENT**

The meeting adjourned at 12.50 pm and reconvened at 1.30 pm.

## **SEDERUNT**

Councillor M Brown was not present when the meeting reconvened.

### **6 GRANT OF A TAXI OPERATOR LICENCE – PERSONAL APPEARANCE**

Under reference to item 14 of the Minute of the meeting of this Board held on 15 June 2016 there were submitted the undernoted application for the grant of a Taxi Licence. The applicant had been asked to appear personally for the second time.

Mohammed Nasir, Flat 0/2, 87 Dixon Avenue, Glasgow.

Mr Nasir, 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 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 within three months of 17 August 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 within three months of 17 August 2016. This was agreed unanimously. Mr Nasir also agreed to these additional conditions.

**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 within three months of 17 August 2016 and prior to operating under the terms of the licences and that insurance meeting the terms of condition 6 be arranged for the licence within three months of 17 August 2016.

### **7 GRANT OF A 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:-

Guy Njali Bola, Flat 1/2, 3 Harmony Square, Glasgow

There was no appearance by or on behalf of Mr Bola. The Convener proposed that the application be considered in Mr Bola's absence. This was agreed unanimously.

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 VARIATION OF A PRIVATE HIRE CAR LICENCE**

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

Alexander McIntosh, 3 Hollows Avenue, Paisley

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

**DECIDED:** That the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Mr McIntosh’s Private Hire Car Licence and that Mr McIntosh’s vehicle be licensed to carry 8 passengers.

9     **APPLICATION FOR THE SURRENDER AND RE-ISSUE OF A TAXI LICENCE**

There was submitted the undernoted application for the surrender and reissue of a Taxi Licence:-

Present Operator: William Mottram, 117 Sandy Road, Renfrew

Proposed Operator: Kenneth Allan Sweeney, 3 King George Way, Renfrew

Licence No.: TX060

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

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

10    **APPLICATION FOR A LATE HOURS CATERING LICENCE**

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

Applicant: Boots UK Limited,

Premises: Unit 5, Glasgow Airport, Renfrewshire

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.