

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Wednesday, 30 March 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, and Councillors McQuade and Mullin.

CHAIR

Councillor Hood, Convener, presided.

IN ATTENDANCE

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 7 only) (all Finance Resources).

APOLOGY

Councillor McEwan.

DECLARATIONS OF INTEREST

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

1 RENEWAL OF LATE HOURS CATERING LICENCES

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

- (a) Tesco Stores Limited, East Lane, Paisley
- (b) Tesco Stores Limited, Retail Concession, Terminal 1, Glasgow Airport, Paisley
- (c) Tesco Stores Limited, Rockford Service Station, 125 Renfrew Road, Paisley
- (d) Tesco Stores Limited, Newmains Road Renfrew
- (e) ASDA Stores Limited, Phoenix Retail Park, Linwood Road, Paisley

The Assistant Managing Solicitor (Licensing) advised the applications required to be considered by the Board as the hours requested were outwith current policy.

The Convener proposed that the applications be granted for a period of two years. This was agreed unanimously.

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

2 GRANT OF A LATE HOURS CATERING LICENCE - PERSONAL APPEARANCE

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

WM Morrison Supermarkets PLC, 2 Falside Road, Paisley

The Assistant Managing Solicitor (Licensing) advised that the applicant had withdrawn the application.

The Convener proposed that the withdrawal of the application be noted. This was agreed unanimously.

DECIDED: That it be noted that the application had been withdrawn.

EXCLUSION OF PRESS AND PUBLIC

The Board resolved that the press and public be excluded from the meeting during consideration of items 3(a), 3(b), 4, 5(a), 5(b), 6, 9(a) and 9(b) 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.

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) and an objection to application (b) :-

(a) name withheld

The applicant was invited into the meeting together with Sergeant Curran and Constable Harkins 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 continued to the meeting of the Board to be held on 11 May, 2016. This was agreed unanimously.

DECIDED: That the application be continued to the meeting of the Board to be held on 11 May, 2016.

(b) Ahmed Ibrahim, 23 Stamford Street, Glasgow

Mr Ibrahim, the applicant, was invited into the meeting together with Sergeant Curran and Constable Harkins, 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.

4 RENEWAL OF A PRIVATE HIRE CAR DRIVER'S LICENCE - P0157 - PERSONAL APPEARANCE

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

Brian Robert Johnstone, 22 Meadside Avenue, Kilbarchan Glasgow

Mr Johnstone, 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.

5 REQUEST FOR EXEMPTION FROM ASSISTING WHEELCHAIR PASSENGERS - PERSONAL APPEARANCES

There were submitted the undernoted requests for exemption from assisting wheelchair passengers. The applicants had been asked to appear personally for the first time: -

(a) Kenneth Barnes, 10 Springfield Avenue, Ralston, Paisley.

Mr Barnes, the applicant was invited into the meeting. After consideration of all matters before the Board the Convener proposed that Mr Barnes' request for exemption from assisting wheelchair passengers be granted for the duration of his current Taxi Driver's Licence. This was agreed unanimously.

DECIDED: That Mr Barnes' request for exemption from assisting wheelchair passengers be granted for the duration of his current Taxi Driver's Licence.

(b) Christopher McMillan, 61 Second Avenue, Kingspark, Glasgow

Mr McMillan, the applicant was invited into the meeting. After consideration of all matters before the Board the Convener proposed that Mr McMillan's request for exemption from assisting wheelchair passengers be granted for the duration of his current Taxi Driver's Licence. This was agreed unanimously.

DECIDED: That Mr McMillan's request for exemption from assisting wheelchair passengers be granted for the duration of his current Taxi Driver's Licence.

ADJOURNMENT

The meeting adjourned at 11.25 pm and reconvened at 11.45 pm.

DECLARATION OF INTEREST

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

6 GRANT OF A STREET TRADER'S LICENCE - PERSONAL APPEARANCE

Under reference to item 6 of the Minute of the meeting of this Board held on 18 February 2016, 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 second 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 Brown, the applicant was invited into the meeting together with Sergeant Curran and Constable Harkins, 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. The Assistant Managing Solicitor (Licensing) also reminded the Board that the reasons for lateness of the objection from Police Scotland had been accepted at the meeting of the Board on 18 February, 2016 and that the objection should 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 application be refused. This was agreed unanimously.

DECIDED: That the application be refused.

ADJOURNMENT

The meeting adjourned at 12.35 pm and reconvened at 1.30 pm.

SEDERUNT

Prior to consideration of the following item of business, Councillor M Brown left the meeting.

SEDERUNT

Prior to consideration of the following item of business, Councillor E Devine re-entered the meeting.

RE-ADMISSION OF THE PRESS AND PUBLIC

The press and public were re-admitted to the meeting prior to consideration of the following items of business.

7 VARIATION OF TAXI/PRIVATE HIRE BOOKING OFFICE - PERSONAL APPEARANCE

There was submitted the undernoted application for Variation of a Taxi/Private Hire Booking Office. The applicant had been asked to appear personally for the first time: -

Renfrewshire Cab Company, 33a New Sneddon Street, Paisley

Mr Cherry and Miss McCulloch, representing the applicant were invited into the 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 application be granted. This was agreed unanimously.

DECIDED: That the application be granted.

8 APPLICATION FOR RENEWAL OF A SECOND HAND DEALER'S LICENCE - SHD-

050, 27 THORNBRAE, JOHNSTONE - PERSONAL APPEARANCE

There was submitted the undernoted application for the renewal of a Second Hand Dealer's Licence. The applicant had been asked to appear personally for the first time: -

Leanne Colquhoun, Flat 1/1, 3c Ellerslie Street Johnstone

There was no appearance by or on behalf of Ms Colquhoun. The Convener proposed that the application be considered in Ms Colquhoun'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.

EXCLUSION OF THE PRESS AND PUBLIC

The Board resolved that the press and public be excluded from the meeting during consideration of items 9(a) and 9(b) 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.

9 GRANT OF LANDLORD REGISTRATION - PERSONAL APPEARANCES

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

(a) James Irvine, 5 Ewanfield Place, Ayr

Mr Irvine, the applicant, was invited into the meeting. 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 continued.

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

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 continued.

(b) Vicky Taff, 19 Boydestone Place, Thornliebank, Glasgow

There was no appearance by or on behalf of Ms Taff. The Convener proposed that the application be continued. This was agreed unanimously.

DECIDED: That the application be continued.