

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Thursday, 14 November 2019	10:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

Present

Councillor Eddie Devine, Councillor Lisa-Marie Hughes, Councillor Alistair Mackay, Councillor Cathy McEwan, Councillor John McNaughtan, Councillor Kevin Montgomery, Councillor Andy Steel, Councillor Jane Strang

Chair

Councillor McNaughtan, Convener, presided.

In Attendance

R Graham, Solicitor, A McLaughlin, Senior Solicitor (Litigation and Regulatory Services), E Currie, Senior Committee Services Officer, E Graham, Administrative Assistant and N O'Brien, Assistant Committee Services Officer (all Finance & Resources).

Apologies

Councillors Audrey Doig and Rodden.

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 4(c) of the agenda and item 8(b) of the agenda prior to item 8(a) of the agenda.

1 Grant of Late Hours Catering Licence - Personal Appearance

There was submitted the undernoted application for grant of a Late Hours Catering Licence. The applicant had been asked to appear personally for the first time:-

Applicant: Krispy Kreme UK Limited

Authorised goods: doughnuts and drinks

Trading from: The Old Maritime Museum Building, Kings Inch Road, Glasgow

Operating hours: Monday to Sunday – 11.00 pm to 5.00 am

There was no appearance by or on behalf of the applicant. The Convener proposed that the application be considered in the applicant's absence and 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 and that the applicant be allowed to be an exception to the Board's policy on trading hours. This was agreed unanimously.

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

2 Renewal of Street Trader's Licence

There was submitted the undernoted application for renewal of a Street Trader's Licence:-

Applicant: Elizabeth Donaldson

Authorised goods: hot and cold food and beverages, milk, confectionary

Trading from: Huntly Road and Watt Road, Hillington and Maxwell Street, Paisley

Operating hours: Huntly Road and Watt Road, Hillington – Monday to Friday 6.00 am to 2.00 pm and Maxwell Street, Paisley – Monday to Sunday 9.00 pm to 4.00 am

Licence No.: ST547

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

DECIDED: That the application be granted for a period of two years and that the applicant continue to be allowed to be an exception to the Board's policy on trading hours.

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.

3 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 to the application:-

Kabango Tubayo

Mr Tubayo, the applicant, was invited into the meeting together with Sergeant Singh, on behalf of the Chief Constable who had submitted a representation to the application. After consideration of all matters before the Board, the Convener proposed that Mr Tubayo's application be granted until 17 June 2020. This was agreed unanimously.

DECIDED: That the application be granted until 17 June 2020.

4 Grant of Private Hire Car Drivers' Licences - Personal Appearances

There were submitted the undernoted applications for 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 representations to applications (a) and (b):-

(a) Adam Pollock

Mr Pollock, the applicant, was invited into the meeting together with Sergeant Singh, on behalf of 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 one year. This was agreed unanimously.

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

(b) Daniel March

There was no appearance by or on behalf of Mr March. Sergeant Singh, on behalf of the Chief Constable who had submitted a representation to the application was invited into the meeting. The Convener proposed that the application be considered in Mr March'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.

(c) Haseeb Virk

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

5 Grant of Street Trader's Licence - Personal Appearance

There was submitted the undernoted application for grant of a Street Trader's Licence:-

Applicant: Elizabeth Buchanan

Location: Abercorn Street, Paisley

Authorised activity: hot and cold snacks and drinks, confectionery

Operating hours: Monday to Sunday – 7.00 am to 5.00 pm

Ms Buchanan, 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. This was agreed unanimously.

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

6 Grant of Private Hire Car Drivers' Licences - Personal Appearances

There were submitted the undernoted applications for grant of Private Hire Car Drivers' Licences. The applicants had been asked to appear personally for the first time:-

(a) Gagan Buhadur BK

Mr Buhadur BK, 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. This was agreed unanimously.

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

ADJOURNMENT

The meeting adjourned at 11.05 and reconvened at 11.10 am.

(b) Irshad Ullah

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

(c) Mohammad Faris

Mr Faris, the applicant, and Mrs Faris, his wife, were 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. This was agreed unanimously.

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

7 Grant of Late Hours Catering Licence - Personal Appearance

There was submitted the undernoted application for grant of a Late Hours Catering Licence. The applicant had been asked to appear personally for the first time:-

Applicant: Motor Fuel Limited

Premises: MFG Main Road, Elderslie

Authorised activity: petrol station offering grocery and convenience retail

Operating hours: Monday to Sunday – 11.00 pm to 5.00 am

There was no appearance by or on behalf of the applicant. The Solicitor advised that the applicant's Solicitor had provided further information in connection with the application and had requested that the application be considered in the applicant's absence.

The Convener proposed that the application be considered in the applicant'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 and that the applicant be allowed to be an exception to the Board's policy on trading hours. This was agreed unanimously.

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

8 Grant of Landlord Registration - Personal Appearances

Under reference to item 10 of the Minute of the meeting of this Board held on 31 January 2019 consideration was resumed of application (c) and there were submitted applications (a) and (b) for grant of Landlord Registration. Applicants (a) and (b) had been asked to appear personally for the first time and applicant (c) has been asked to appear personally for the second time together with the Council's Director of Communities, Housing and Planning Services:-

(a) Vincent Bell

(b) Karen Bell

There was no appearance by Mr Bell or Mrs Bell. Ms Lough and Ms Pall, the applicants' representatives, were invited into the meeting. The Convener proposed that both applications be considered together and this was agreed unanimously. Ms Lough and Ms Pall also agreed to this.

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 (i) that consideration of both applications be continued to allow the applicants to submit information from the First Tier Tribunal; and (ii) that if the information received from the First Tier Tribunal was in order, that authority be delegated to officers to grant both applications for periods of three years. This was agreed unanimously.

DECIDED:

(a) That consideration of both applications be continued to allow the applicants to submit information from the First Tier Tribunal; and

(ii) That if the information received from the First Tier Tribunal was in order, that authority be delegated to officers to grant both applications for periods of three years.

(c) David Blackwood

There was no appearance by Mr Blackwood. Mr Caulfield, the applicant's Solicitor, was invited into the meeting together with Mr Hunter, on behalf of the Council's Director of Communities, Housing & Planning Services. 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 (i) that consideration of the application be continued and that the applicant be invited to a future meeting of the Board; and (ii) that the Environmental Improvements Manager arrange for all properties detailed in the application for registration to be inspected and submit a report to the licensing section. This was agreed unanimously.

DECIDED:

(a) That consideration of the application be continued and that the applicant be invited to a future meeting of the Board; and

(b) That the Environmental Improvements Manager arrange for all properties detailed in the application for registration to be inspected and submit a report to the licensing section.

9 Hearings into Possible Removal from Register of Private Landlords - Personal Appearances

The Board considered the possible removal of the undernoted landlords from the Register of Private Landlords. The landlords had been asked to appear personally for the first time together with the Council's Director of Communities, Housing & Planning Services in relation to application (a):-

(a) Neda Ghaffar

There was no appearance by or on behalf of Ms Ghaffar. Mr Hunter, on behalf of the Council's Director of Communities, Housing & Planning Services, was invited into the meeting. The Solicitor advised that Ms Ghaffar had intimated that she was unable to attend the meeting and had requested that the hearing be continued to allow her to submit further evidence from the First Tier Tribunal.

The Convener proposed (i) that consideration of the hearing be continued for a personal appearance and to allow Ms Ghaffar to submit further evidence from the First Tier Tribunal; and (ii) that the Environmental Improvements Manager arrange for all properties detailed in the application for registration to be inspected and submit a report to the licensing section. This was agreed unanimously.

DECIDED:

(a) That consideration of the hearing be continued for a personal appearance and to allow Ms Ghaffar to submit further evidence from the First Tier Tribunal; and

(b) That the Environmental Improvements Manager arrange for all properties detailed in the application for registration to be inspected and submit a report to the licensing section.

DECLARATION OF INTEREST

Councillor McEwan declared a non-financial interest in the following item of business as the tenant was known to her and indicated her intention to leave the meeting during consideration of this item and not to take part in any discussion or voting thereon.

SEDERUNT

Councillor Montgomery left the meeting prior to consideration of the following item of business.

(b) G7 RSK Limited

Ms Sandhu, and Mr Singh, on behalf of the landlord, were invited into the meeting. After consideration of all matters before the Board, the Convener proposed (i) that consideration of the hearing be continued to allow Ms Sandhu to submit further evidence from the First Tier Tribunal; and (ii) that if received, and in order, no further action be taken. This was agreed unanimously.

DECIDED:

(a) That consideration of the hearing be continued to allow Ms Sandhu to submit further evidence from the First Tier Tribunal; and

(b) That if received, and in order, no further action be taken.