

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Wednesday, 13 March 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 Emma Rodden, Councillor Andy Steel, Councillor Jane Strang

Chair

Councillor McNaughtan, Convener, presided.

In Attendance

A McLaughlin, Senior Solicitor (Litigation and Regulatory Services) P Shiach, Committee Services Officer, N O'Brien, Assistant Committee Services Officer and N Barr, Administrative Assistant (all Finance & Resources).

Apology

Councillor Audrey Doig.

Declarations of Interest

Councillor Montgomery declared a non-financial interest in item 4 of the agenda as he had prior knowledge of the applicant and indicated his intention to leave the meeting during consideration of this item and not to take part in any discussion or voting thereon.

1 Grant of House in Multiple Occupation Licence - Personal Appearance

There was submitted the undernoted application for the grant of a house in multiple occupation licence. The applicant had been asked to appear personally for the first time together with Kai Fischer, who had submitted an objection to the application.

Applicant: Robert Bain

Property: Flat 0/1, 12 McKerral Street, Paisley

Mr Bain was invited into the meeting together with Mrs Bain and E McCartin. There was no appearance or on behalf of Mr Fischer.

After consideration of all matters before the Board, the Board adjourned to allow members to consider the application. The meeting reconvened, and 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.

2 Grant of Private Hire Car Operators' Licences - Personal Appearances

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

(a) Rajeev Kumar

Mr Kumar 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.

(b) Herbert Anyiam

There was no appearance by or on behalf of Mr Anyiam. The Convener proposed that the application be considered in Mr Anyiam's absence and 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) Tinto Radio Cars Limited – 2 applications

Mr McCormack, the applicant, was invited into the meeting. After consideration of all matters before the Board, the Convener proposed that the applications be granted for a period of one year. This was agreed unanimously.

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

(d) Lesley Kerins

There was no appearance by or on behalf of Ms Kerins. The Senior Solicitor (Litigation and Regulatory Services) advised the Board that Ms Kerins had indicated that she was unable to attend the meeting and requested that the application be considered in her 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.

EXCLUSION OF PRESS AND PUBLIC

The Board may resolve to exclude the press and public from the meeting during consideration of the following items of business as it is 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 Window Cleaner's Licence - Personal Appearance

Under reference to item 13 of the Minute of the meeting of this Board held on 31 January 2019, the Board resumed consideration of the undernoted application for renewal of a Window Cleaner's Licence. The applicant had been asked to appear personally for the second time together with Police Scotland who had submitted an objection to the application: -

Gordon Michie – W141

Mr Michie, the applicant, was invited into the meeting together with Sergeant Brooks and Ms Stevenson, 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 the application. The meeting 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.

Declaration of Interest

Councillor Montgomery having previously declared a non-financial interest in the following item of business left the meeting prior to its consideration and took no part in any discussion or voting thereon.

Councillor McNaughtan declared a non-financial interest in the following item as the objector was known to him. He vacated the chair, left the meeting prior to its consideration and took no part in any discussion or voting thereon.

Chair

Councillor Rodden, Depute Convener, took the chair for the following item of business.

4 Hearing into Possible Removal from the Register of Private Landlords - Personal Appearance

Under reference to item 2 of the Minute of the meeting of this Board held on 31 January 2019, the Board resumed consideration of the possible removal of the undernoted landlord from the Register of Private Landlords. The landlord had been asked to appear personally for the second time together with Kwai Leung and the Director of Communities, Housing and Planning Services, Renfrewshire Council: -

Anu Sharma – 261965/350/12171

Mrs Sharma, the applicant and Mr Hunter, solicitor, were invited into the meeting together with Mrs Leung who had submitted a complaint in relation to the landlord, and Ms Gray and Mr Hunter on behalf of the Director of Communities, Housing and Planning Services who had submitted a representation in relation to the possible removal of the landlord from the Register of Private Landlords.

After consideration of all matters before the Board, the Board adjourned to allow members to consider the possible removal of the landlord from the Register. The meeting reconvened, and the Convener proposed that the landlord be removed from the Register of Private Landlords. This was agreed unanimously.

DECIDED: That Mrs Sharma be removed from the Register of Private Landlords.

Chair

Councillor McNaughtan resumed the chair.

Sederunt

Councillor McNaughtan re-entered the meeting prior to consideration of the following item of business.

Adjournment

The meeting adjourned at 1.00pm and reconvened at 1.20pm.

5 Exemption from Drivers' Duties under Section 165 of the Equality Act 2010 - Personal Appearances

There were submitted the undernoted applications for exemption from drivers' duties under Section 165 of the Equality Act 2010. The applicants had been asked to appear personally for the first time: -

(a) Peter White – T2507

Mr White, the applicant, was invited into the meeting. After consideration of all matters before the Board, the Convener proposed that the application be granted for the duration of the applicant's Taxi Driver's licence. This was agreed unanimously.

DECIDED: That the application be granted the duration of the applicant's Taxi Driver's licence.

(b) William Guthrie – T0018

There was no appearance by or on behalf of Mr Guthrie. 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 the duration of the applicant's Taxi Driver's licence. This was agreed unanimously.

DECIDED: That the application be granted the duration of the applicant's Taxi Driver's licence.

(c) Kenneth Barnes – T1907

Mr Barnes, the applicant, was invited into the meeting. After consideration of all matters before the Board, the Convener proposed that the application be granted for the duration of the applicant's Taxi Driver's licence. This was agreed unanimously.

DECIDED: That the application be granted the duration of the applicant's Taxi Driver's licence.

(d) Lyndsey Hynd – T042

There was no appearance by or on behalf of Ms Hynd. 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 the duration of the applicant's Taxi Driver's licence. This was agreed unanimously.

DECIDED: That the application be granted the duration of the applicant's Taxi Driver's licence.

6 Renewal of Taxi Driver's Licence - Personal Appearance

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

Andrew Graham – T1976

Mr Graham, the applicant, was invited into the meeting. After consideration of all matters before the Board, 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.

7 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 a representation to application (a); and objection to application (b); and an objection and further letter of objection received outwith the statutory timescale to application (c): -

(a) Martin Bukulu

Mr Bukulu, the applicant, was invited into the meeting together with Sergeant Brooks and Ms Stevenson, 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) Khalid Ali

Mr Ali, the applicant, was invited into the meeting together with Sergeant Brooks and Ms Stevenson, 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 the application. The meeting reconvened, and the Convener proposed that the application be refused. This was agreed unanimously.

DECIDED: That the application be refused.

SEDERUNT

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

(c) Steven Conway

There was no appearance by or on behalf of Mr Conway. Sergeant McEwan and Ms Stevenson, on behalf of the Chief Constable who had an objection and further letter of objection received outwith the statutory timescale to application were invited into the meeting. The convener proposed that the application be considered in the applicant's absence. This was agreed unanimously.

On hearing the reasons for the lateness of the objection it was decided that the objection would 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.

8 Renewal of Private Hire Car Drivers' Licences - Personal Appearances

There were submitted the undernoted applications for renewal 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 an objection to application (a): -

SEDERUNT

Councillor Devine declared a non-financial interest in the following item as the applicant was known to him. He left the meeting the meeting prior to its consideration and took no part in any discussion or voting thereon.

(a) John Nicolson – P2613

Mr Nicolson, the applicant, was invited into the meeting together with Mr Banks, solicitor and Sergeant McEwan and Ms Stevenson, on behalf of the Chief Constable who had an objection to the application.

After consideration of all matters before the Board, the Board adjourned to allow members to consider the application. The meeting 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.

SEDERUNT

Councillor Devine re-entered the meeting.

(b) Daniel McCargo – P3054

Mr McCargo, 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.

(c) Mohammed Younis – P2532

Mr Younis, 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.

9 Grant of Landlord Registrations - Personal Appearances

There were submitted the undernoted applications for grant of Landlord Registrations. The applicants had been asked to appear personally for the first time together with Police Scotland: -

(a) Deborah Stewart – REN-0411073-18

There was no appearance by or on behalf of Ms Stewart. The Senior Solicitor (Licensing and Regulatory Services) advised the Board that following the receipt of additional information the application had been granted under delegated authority for a period of three years.

DECIDED: That it be noted that the application had been granted under delegated authority for a period of three years

(b) Hendry Robertson – REN-0414926-18

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

10 Renewal of Landlord Registration

There was submitted the undernoted application for renewal of Landlord Registration: -

Jonah Ditton – REN-0377242-18

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.

11 Surrender and Re-issue of Taxi Operator's Licence

There was submitted the undernoted application for the surrender and re-issue of a Taxi Operator's Licence: -

Operator: Kenneth Barnes
Proposed Operator: Alexander Russell
Licence No.: TX016

The Convener proposed that the application be granted.

DECIDED: That the application be granted.