

## Notice of Meeting and Agenda Regulatory Functions Board

Date	Time	Venue
Thursday, 01 June 2023	10:00	Remotely by MS Teams,

MARK CONAGHAN  
Head of Corporate Governance

### Membership

Councillor John McNaughtan (Convener): Councillor Cathy McEwan (Depute Convener):

Councillor Audrey Doig: Councillor Neill Graham: Councillor Lisa-Marie Hughes: Councillor Janis McDonald: Councillor Kevin Montgomery: Councillor Sam Mullin: Councillor Emma Rodden: Councillor Andy Steel:

### Further Information - online meetings only

This meeting is on-line only but is a meeting which is open to members of the public by prior arrangement. A copy of the agenda and reports for this meeting will be available for inspection prior to the meeting at the Customer Service Centre, Renfrewshire House, Cotton Street, Paisley and online at <http://renfrewshire.cmis.uk.com/renfrewshire/CouncilandBoards.aspx>

For further information, please email [democratic-services@renfrewshire.gov.uk](mailto:democratic-services@renfrewshire.gov.uk)

### Members of the Press and Public - contact details

Members of the press and public wishing to attend the meeting should contact [democratic-services@renfrewshire.gov.uk](mailto:democratic-services@renfrewshire.gov.uk) to allow the necessary arrangements to be made.

## **Recording of Meeting**

This meeting will be recorded for subsequent broadcast via the Council's internet site. If you have any queries regarding this please contact committee services on democratic-services@renfrewshire.gov.uk

To find the recordings please follow the links below:

<https://youtu.be/VwbdzGSha7I>

<https://youtu.be/RwKs5-7nm8c>

## Items of business

### Apologies

Apologies from members.

### Declarations of Interest

Members are asked to declare an interest in any item(s) on the agenda and to provide a brief explanation of the nature of the interest.

#### **1 Registration of Private Landlords: Applications refused under Delegated Authority** **7 - 10**

Report by Director of Finance & Resources.

#### **2 Surrender and Re-issue of Taxi Operator's Licence - Personal Appearance**

Submit the undernoted application for the surrender and re-issue of a Taxi Operator's Licence. The applicants have been asked to appear personally for the first time:-

Present Operator: Neil Doherty  
Proposed Operator: Mohammad Imran Khan  
Licence. No.: TX120

#### **3 Variation of Taxi Operator's Licence - Personal Appearance**

Submit the undernoted application for variation of a Taxi Operator's Licence. The applicant has been asked to appear personally for the first time:-

Applicant: TOA Cabs Limited  
Variation: exception to policy to allow advertising on both doors  
Licence No.: TX231

#### **4(a) Variation of Private Hire Car Operator's Licence - Personal Appearance**

Submit the undernoted application for variation of a Private Hire Car Operator's Licence. The applicant has been asked to appear personally for the first time:-

Applicant: Gerard Milligan  
Variation: exception to policy and standard condition 1  
Licence No.: PH0729

#### **4(b) Renewal of Private Hire Car Operator's Licence - Personal Appearance**

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

Applicant: Gerard Milligan  
Licence No.: PH0729

#### **EXCLUSION OF PRESS AND PUBLIC**

The Board may by resolution 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 are present, there could be disclosure to them of exempt information as defined in paragraph 3 Part I of Schedule 7A of the Local Government (Scotland) Act 1973.

#### **5 Grant of Private Hire Car Operators' Licences - Personal Appearances**

Submit the undernoted applications for grant of Private Hire Car Operators' Licences. The applicants have been asked to appear personally for the first time together with Police Scotland who has submitted representations to applications (b) and (c):-

- (a) Abdul Hamid Khalid
- (b) Saif Radwan
- (c) Wael Mohammad

#### **6 Grant of Taxi Driver's Licence - Personal Appearance**

Submit the undernoted application for grant of a Taxi Driver's Licence. The applicant has been asked to appear personally for the first time:-

Mirza Asif Latif

#### **7 Grant of Private Hire Car Drivers' Licences - Personal Appearances**

Submit the undernoted applications for grant of Private Hire Car Drivers' Licences. The applicants have been asked to appear personally for the first time together with Police Scotland who has submitted a representation to application (d):-

- (a) Mohammad Bashiran Nawaz
- (b) Wajid Mahmood Yousaf Begum
- (c) Hazem A Mohammed Abdalghader
- (d) Mhd Eid Albashash

**8      Renewal of Private Hire Car Driver's Licence - Personal Appearance**

Submit the undernoted application for renewal of a Private Hire Car Driver's Licence. The applicant has been asked to appear personally for the first time together with Police Scotland who has submitted a representation received outwith the statutory timescale to the application:-

Applicant: Mehmet Dost  
Licence No.: P0767

**Adjournment**

The meeting will adjourn following consideration of item 8 and reconvene at 1.30 pm.

**9      Hearing into Possible Suspension or Revocation of Private Hire Car Driver's Licence - Personal Appearance**

Consider the possible suspension or revocation of the undernoted Private Hire Car Driver's Licence. The licence holder has been asked to appear personally for the first time together with Police Scotland:-

Licence holder: Sean Grana  
Licence No.: P0702





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**To:** Regulatory Functions Board

**On:** 1 June 2023

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**Report by:** Director of Finance and Resources

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**Heading:** **Registration of Private Landlords: Applications refused under Delegated Authority**

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**1. Summary**

- 1.1 The purpose of this report is to provide a further update to the Board in relation to applications for landlord registration refused under powers delegated to officers following the meeting of the Board on 18<sup>th</sup> August 2021. Previous updates were given to the Board at its meetings on 3<sup>rd</sup> February, 8<sup>th</sup> June and 26<sup>th</sup> October, all 2022.
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**2. Recommendations**

- 2.1 It is recommended that the Board note the contents of the report.
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**3. Background**

- 3.1 On 18<sup>th</sup> August 2021, the Board considered a report by the Director of Finance and Resources relative to outstanding applications for private landlord registration where landlords had not confirmed their compliance with regulatory requirements set out in regulations made under the terms of the Antisocial Behaviour etc. (Scotland) Act 2004 ("the 2004 Act"). The report set out options to facilitate determination of these applications.

- 3.2 The Board agreed that it be recommended that the Scheme of Delegated Functions be amended to include a delegation to officers to refuse applications for landlord registration where the requirements set out in regulations made under the 2004 Act, and detailed at Paragraph 3.3 of the report considered at the above meeting, are not met, subject to regular reports being submitted to the Board detailing the applications refused. This delegation subsequently came into effect after the meeting of Council on 30<sup>th</sup> September 2021, when the Minute of the Board's meeting of 18<sup>th</sup> August 2021 was approved.
- 3.3 In the report of 18<sup>th</sup> August 2021, officers indicated that it was anticipated that any power delegated to officers would not be used until two communications had been issued to applicants allowing them an opportunity to demonstrate their compliance. Accordingly, the practice adopted by officers has been to issue two separate letters to non-compliant landlords, allowing them periods of 28 days and, thereafter, a further 14 days to confirm their compliance.
- 3.4 Similar to the position at the time of the previous reports, the majority of landlords written to were able to confirm compliance within the above periods, allowing their applications for landlord registration to be granted.
- 3.5 In the period from 5<sup>th</sup> October 2022 to 12<sup>th</sup> May 2023, only one application for landlord registration (renewal) required to be refused by officers due to failure to confirm full compliance with landlords' legal responsibilities. It is possible that this landlord no longer requires their registration.
- 3.6 Officers reported to the Board in October 2022 that the backlog in landlord registration applications, which related to compliance issues, had been cleared. The Board may note from the terms of Paragraph 3.5 above that there has now also been a sustained improvement in relation to declared compliance by applicants for landlord registration.
- 3.7 Given this improvement, it may be that the Board would prefer that further update reports on the number of applications refused by officers will be provided annually.

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## Implications of the Report

1. **Financial – Nil**
2. **HR & Organisational Development – Nil**



3. **Community Planning – Nil**
4. **Legal – as detailed in the report**
5. **Property/Assets – Nil**
6. **Information Technology – Nil**
7. **Equality & Human Rights -**

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report, as the report only provides the Board with an update on refused applications for landlord registration as previously requested by the Board.

8. **Health & Safety - Nil**
9. **Procurement – Nil**
10. **Risk - Nil**
11. **Privacy Impact - Nil**
12. **Cosla Policy Position – Nil**
13. **Climate Emergency – Nil**

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**List of Background Papers-** None.

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**Author:** Douglas Campbell, Assistant Managing Solicitor (Licensing), 0141-487-1096, [douglas.campbell@renfrewshire.gov.uk](mailto:douglas.campbell@renfrewshire.gov.uk)

