

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Thursday, 17 September 2020	10:00	Remotely by MS teams,

Present

Councillor Eddie Devine, Councillor Audrey Doig, Councillor Lisa-Marie Hughes, Councillor Alistair Mackay, Councillor John McNaughtan, Councillor Emma Rodden, Councillor Andy Steel, Councillor Jane Strang

Chair

Councillor McNaughtan, Convener, presided.

In Attendance

D Campbell, Assistant Managing Solicitor (Licensing), A McLaughlin, Senior Solicitor (Litigation and Regulatory Services), E Currie, Senior Committee Services Officer, P Shiach, Committee Services Officer, A Easdon, Licensing Officer/Paralegal, N Barr, Administrative Assistant and G McIntosh, Civic Government Enforcement Officer (all Finance & Resources).

Recording of Meeting

Prior to the commencement of the meeting the Convener intimated that this meeting of the Board would be recorded and that the recording would be available to watch on the Council's website.

Apologies

Councillors McEwan and Montgomery.

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 items 6 and 7 of the agenda before item 2 of the agenda.

1 Grant of Second Hand Dealer's Licence - Personal Appearance

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

Applicant: Ramsdens Financial Limited
Premises: Ramsdens, 3B Moss Street, Paisley
Operating Hours: Monday to Saturday 9.30 am to 5.00 pm

Mr Wilson and Mr Kenyon, on behalf of the applicant, joined the meeting by video call. After consideration of all matters before the Board, the Convener proposed that the application be granted for a period of one year with standard condition 4 amended to allow the records referred to therein to be held electronically. This was agreed unanimously.

DECIDED: That the application for a Second Hand Dealer's Licence be granted for a period of one year with standard condition 4 amended to allow the records referred to therein to be held electronically.

2 Renewal of Late Hours Catering Licence - Personal Appearance

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

Applicant: DSR Restaurants Limited
Premises: McDonalds Drive-thru, Unit K Braehead Retail Park
Activity: fast food
Operating hours: 7 days per week – 11.00 pm to 5.00 am

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

3 Applications for HMO Licences Approved under Delegated Authority

There was submitted a report by the Director of Finance & Resources advising the Board of decisions made by officers under delegated authority, in consultation with members of the Board, in relation to applications for House in Multiple Occupation (HMO) Licences.

The report advised that at a meeting held on 9 April 2020, the Emergencies Board considered a report by the Director of Finance & Resources in relation to licensing contingency measures. The Emergencies Board agreed at the meeting to delegate authority to officers, in consultation with the Convener (or Depute Convener) of the Regulatory Functions Board and one member from each other political grouping represented on the Board, to grant applications for HMO Licences for a period of six months in limited circumstances where reports could not be completed in relation to the suitability of the premises, provided no other adverse representations had been received. These decisions were to be reported to the Regulatory Functions Board once meetings resumed.

The report intimated that two HMO Licences had been granted by officers in consultation with members of the Board for a limited period of six months in accordance with the decision of the Emergencies Board and these were detailed in the report.

DECIDED: That the report be noted.

EXCLUSION OF PRESS AND PUBLIC

The Board resolved that the press and public be excluded from the meeting during consideration of items 4 and 5 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.

Adjournment

The meeting adjourned at 10.15 am and reconvened at 10.20 am.

4 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:-

Andrew McMillan P6320

The Assistant Managing Solicitor (Licensing) advised that Mr McMillan would not be in attendance at the meeting and that he had submitted a written submission which he requested the Board take into consideration. 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.

Adjournment

The meeting adjourned at 10.25 am and resumed at 10.35 am.

Sederunt

Councillor Devine left the meeting during consideration of the following item of business.

5 Grant of Taxi Driver's Licence - Personal Appearance

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

William McCallum

Mr McCallum, the applicant, joined the meeting by telephone call together with Sergeant Robertson, Police Scotland, on behalf of the Chief Constable who had submitted a representation received outwith the statutory timescale for representations, who also joined by telephone call.

On hearing the reason for the lateness of the representation, the Convener proposed that the representation be taken into account when the application was being considered. This was agreed unanimously. Mr McCallum also agreed to this.

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 11.00 am and resumed at 11.15 am.

6 Surrender and Re-issue of Taxi Operator's Licence - Personal Appearance

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

Present operator: Anthony Stewart
Proposed operator: James Lappin
Licence no.: TX037

7 Renewal of Taxi Operator's Licence - Personal Appearance

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

Anthony Stewart TX037

Mr Stewart and Mr Lappin, the applicants, both joined the meeting by telephone call. The Convener proposed that both applications for the surrender and re-issue of the Taxi Operator's Licence and renewal of the Taxi Operator's Licence be considered together and that separate decisions be made. This was agreed unanimously. Mr Stewart and Mr Lappin also agreed to this.

As a result of technical difficulties experienced by both applicants during consideration of the applications, the Convener proposed that consideration of the applications be continued and that the applicants be invited to a future meeting of the Board. This was agreed unanimously.

DECIDED: That consideration of the applications be continued and that the applicants be invited to a future meeting of the Board.