

## Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Wednesday, 19 April 2017	10:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

### Present

Councillor Bill Brown, Councillor Eddie Devine, Provost Anne Hall, Councillor John Hood, Councillor Sam Mullin

### Chair

Councillor Hood, Convener, presided.

### Apologies

Councillors M Brown, M Devine, McEwan and McQuade.

### In Attendance

A McLaughlin, Senior Solicitor (Litigation and Regulatory), P Shiach Committee Services Officer and K Whiteside, Licensing Officer (Paralegal) (all Finance & Resources) and B Kettle, Public Health Enforcement Officer (Community Resources) (for items 10 and 11 only).

## **Declarations of Interest**

Councillor E Devine declared a non-financial interest in relation to item 1 of the agenda as Convener of the Environment Policy Board and indicated his intention to leave the meeting during consideration of the item and not to take part in any discussion or voting thereon.

Provost Hall declared non-financial interests in relation to items 2(a), 10(b) and 11(a) of the agenda as the applicants were known to her and indicated her intention to leave the meeting during consideration of the items and not to take part in any discussion or voting thereon.

## **Exclusion of the Press and Public**

The Board resolved that the press and public be excluded from the meeting during consideration of items 1, 2(a), 2(b), 3, 4, 5, 6, 8 and 10 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.

## **Declaration of Interest**

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

### **1 Grant of a Public Entertainment Licence - Personal Appearance**

There was submitted the undernoted application for the grant of a Public Entertainment 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 and the Director of Community Resources who had submitted an objection to the application :-

Fox and Hounds, 1 South Street, Houston

Mr Andrews, Director of the applicant company and Miss Campbell and Miss Miller, Agents, were invited into the meeting together with Mr C Hunter and Miss M Maxwell representing the Director of Community Resources who had submitted an objection to the application, and Inspector Kirkwood and Constable Whitelaw 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 granted until Sunday 24 September 2017. This was agreed unanimously.

**DECIDED:** That the application be granted until Sunday 24 September 2017

## **Sederunt**

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

## **Declaration of Interest**

Provost Hall, having declared an interest in relation to the following item of business left the meeting and did not take part in any discussion or voting thereon.

### **2 Renewal of Private Hire Car Drivers' Licences – Personal Appearances**

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

(a) Harry King, 24 Hillpark Rose, Kilwinning

Mr King, the applicant, was invited into the meeting together with his son. 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.

## **Sederunt**

Provost Hall re-entered the meeting prior to consideration of the following item of business.

(b) Stephen John McKinnon, 41 Lochfield Road, Paisley

Mr McKinnon, 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.

### **3 Grant of Taxi Driver's Licence – Personal Appearance**

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

Andrew Lamont, 137 Hillside Road, Paisley

Mr Lamont, 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 subject to the undertakings given by the applicant. This was agreed unanimously.

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

### **4 Grant of a Private Hire Car Operator's Licence – Personal Appearance**

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

Henry Mejury, 33 Birchwood Drive, Paisley.

Mr Mejury, 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 and the Convener proposed that the application be refused. This was agreed unanimously.

**DECIDED:** That the application be refused.

### **5 Grant of a Private Hire Car Driver's Licence – Personal Appearance**

There was submitted the undernoted application for the grant 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 an objection to the application: -

Khizr Bashir, 4 Barberry Gardens, Glasgow

There was no appearance by or on behalf of Mr Bashir. Inspector Kirkwood and Constable Whitelaw on behalf of the Chief Constable, who had submitted an objection to the application, were invited into the meeting. The Convener proposed that the application be considered in Mr Bashir'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.

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

There was submitted the undernoted application for the 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 an objection to the application: -

Michael Parnis, 2/2, 4 Tower Terrace, Paisley

Mr Parnis, the applicant, was invited into the meeting together with Inspector Kirkwood and Constable Whitelaw 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.

Councillor Hood, seconded by Councillor Mullin, moved that the application be granted for a period of one year.

Councillor E Devine, seconded by Provost Hall, moved as an amendment that the application be refused.

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 2 members voted for the motion. The amendment was accordingly declared carried.

**DECIDED:** That the application be refused.

## **Sederunt**

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

## **7 Renewal of a Taxi Driver's Licence - T2481 – 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: -

John Woods Mitchell, 5 Wallace Avenue, Elderslie

Mr Mitchell, the applicant was invited into the meeting. Mr Mitchell gave undertakings in relation to the renewal of his DVLA licence.

After consideration of all matters before the Board, the Convener proposed that the application be granted for a period of two years in light of the aforementioned undertakings. This was agreed unanimously.

**DECIDED:** That the application be granted for a period of two years in light of undertakings given in relation to Mr Mitchell's DVLA licence.

## **8 Renewal of a Taxi Operator's Licence – TX191 – Personal Appearance**

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

Graeme Anderson, 32 Renshaw Road, Bishopton

There was no appearance by or on behalf of Mr Anderson. The Convener proposed that the application be considered in Mr Anderson'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 two years. This was agreed unanimously.

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

## **9 Grant of a Public Entertainment (Tanning Salon) Licence – Personal Appearance**

There was submitted the undernoted application for the grant of a Public Entertainment (Tanning Salon) Licence. The applicant had been asked to appear personally for the first time together with the Director of Community Resources who had submitted an objection outwith the statutory timescale to the application: -

Terem Leisure Services Limited, Regent Court, 70 West Regent Street, Glasgow.

The Convener advised that the application had been withdrawn.

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

## **Adjournment**

The meeting adjourned after consideration of item 9 and reconvened at 1.30 pm.

## **10 Hearings into the Possible Removal from the Register of Private Landlords – Personal Appearances**

Under reference to items 6(a) and 6(b) of the Minute of the meeting of this Board held on 23 March 2017 consideration was resumed of the possible removal of the undernoted landlords from the Register of Private Landlords. The landlords had been asked to appear personally for the second time:-

(a) Fast Track Scotland Limited, 13 Main Street, Dalrymple, Ayr

There was no appearance by or on behalf of Fast Track Scotland Limited. The Convener proposed that the hearing into the possible removal from the Register of Private Landlords be heard in Fast Track Scotland Limited's absence. This was agreed unanimously.

After consideration of all matters before the Board, the Convener proposed that Fast Track Scotland Limited be removed from the Register of Private Landlords. This was approved unanimously.

**DECIDED:** That Fast Track Scotland Limited be removed from the Register of Private Landlords.

## **Declaration of Interest**

Provost Hall having declared an interest in relation to items 10(b) and 11(a) left the meeting and did not take part in any discussion or voting thereon.

(b) Terence Feeney, 9 Napier Street, Linwood

Mr Feeney, the landlord, and Mr Banks, solicitor were invited into the meeting. The Convener proposed that consideration of the possible removal of the landlord from the Register of Private Landlords be continued and that the landlord be invited to a future meeting of the Board. This was agreed unanimously.

**DECIDED:** That consideration of the possible removal of the landlord from the Register of Private Landlords be continued and that the landlord be invited to a future meeting of the Board.

## **11 Grant of Landlord Registrations - Personal Appearances**

Under reference to item 7 of the Minute of the meeting of this Board held on 23 March 2017 in relation to application (a) and items 7(a) and 1 of the Minutes of the meetings of this Board held on 1 September 2016 and 17 November 2016, respectively, in relation to application (b) consideration was resumed of the undernoted applications for the grant of Landlord Registrations. Applicant (a) had been asked to appear personally for the second time; applicant (b) had been asked to appear personally for the third time; and applicants (c) and (d) had been asked to appear personally for the first time:-

(a) Gillian Feeney, 9 Napier Street, Linwood

There was no appearance by or on behalf of Mrs Feeney. The Convener proposed that consideration of the application be continued and that the applicant be invited to a future meeting of the Board. This was agreed unanimously.

**DECIDED:** That consideration of the application be continued and that the applicant be invited to a future meeting of the Board.

## **Sederunt**

Provost Hall re-entered the meeting prior to consideration of the following item of business.

(b) Fiona Siddall, 14 Ludwick Van Beethoven, Porta D'Orba 03790, Orba, Alicante, Spain

Mrs Tyler and Mr Tyler, representing the applicant, 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 three years. This was agreed unanimously.

**DECIDED:** That the application be granted for a period of three years.

## **12 Grant of a Late Hours Catering Licence – Personal Appearance**

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

Applicant: WWCM Limited, 2 Broomlands Street, Paisley

Premises: Kilty Kilty, 16/18 New Street, Paisley

Authorised goods: liquor licensed premises providing food, refreshment and facilities for dancing

Operating Hours: Friday to Sunday 2.00 am – 4.00 am

Ms Finnigan, the applicant, and Mr McIvor, solicitor 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.

## **13 Applications for Late Hours Catering Licences**

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

(a) Applicant: Paranthaman Nirushan, 15 Bridge Street, Wishaw

Premises: Malthurst Elderslie, Main Road, Elderslie

Authorised Goods: petrol filling station with adjacent shop offering grocery and retail convenience

Operating Hours: Monday to Sunday 11.00 pm – 5.00 am

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

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

(b) Applicant: Laura McGarvey, Flat 2/2, 10 Brunton Street, Cathcart

Premises: McDonald's Restaurant, Phoenix Retail Park, Linwood Road, Paisley

Authorised Goods: burgers, fries, coffee, soft drinks

Operating Hours: Monday to Sunday 11.00 pm – 5.00 am

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

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

#### **14 Application for the Surrender and Re-issue of a Taxi Licence**

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

Present Operator: Malcolm Mearns, 145 Waterside Road, Carmunnock, Glasgow

Proposed Operator: Martin Treacy, 20 Robertson's Gait, Paisley

Licence No.: TX204

The Convener proposed that the application be granted. This was agreed unanimously.

**DECIDED:** That the application be granted.