

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Wednesday, 21 August 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 Emma Rodden, Councillor Andy Steel, Councillor Jane Strang

Chair

Councillor McNaughtan, Convener, presided.

In attendance

D Campbell, Assistant Managing Solicitor (Licensing), 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

There were no declarations of interest intimated prior to the commencement of the meeting.

Additional Item

The Convener intimated that there was an additional item in relation to an application for the grant of a Market Operator's Licence which had not been included in the notice calling the meeting. The Convener, being of the opinion that the item which is dealt with at item 14 below was urgent, authorised its consideration.

1 Climate Emergency Extinction Rebellion - Proposed Public Procession - 24 August 2019 - Personal Appearance

The Assistant Managing Solicitor (Licensing) advised the Board that the notification of public procession had been withdrawn.

DECIDED: That it be noted that the notification of public procession had been withdrawn.

2 Landlord Repairing Standard Enforcement Order

There was submitted the undernoted application for the grant of Landlord Registration following the completion of a Landlord Repairing Standard Enforcement Order: -

Gurjit Kaur Lally

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.

3 Application for Surrender and Re-issue of a Taxi Licence

There were submitted the undernoted applications for the surrender and re-issue of Taxi Licences: -

(a) Present operator: Malcolm Mearns
Proposed Operator: Mark Stevenson
Licence: TX203

The Convener proposed that the application be granted, and this was agreed unanimously.

DECIDED: That the application be granted.

(b) Present Operator: Kenneth Barns
Proposed Operator: Stuart McLean
Licence TX005

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

DECIDED: That the application be granted.

4 Application for Renewal of a Taxi Operator's Licence - TX191

There was submitted the undernoted application for renewal of a Taxi Driver's Licence:-

Graham Anderson

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

DECIDED: That the application be granted.

5 Application for Grant of a 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: Tim Hortons

Premises: Unit DT1, Paisley Retail Park, Renfrew Road, Paisley

Operating Hours: Monday to Sunday 11.00pm – 5.00am

Mr Amrit on behalf of the applicant was invited into the meeting.

After consideration of all matters before the Board, the Convener proposed that the applicant be allowed to be an exception to the Board's policy on trading hours and that the application be granted for a period of one year. This was agreed unanimously.

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

6 Application for Variation to a Late Hours Catering Licence - Personal Appearance

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

Applicant: Tim Hortons

Premises: Linwood Road, Paisley

Operating Hours: Monday to Sunday 11.00pm – 5.00am

Mr Amrit on behalf of the applicant was invited into the meeting.

After consideration of all matters before the Board, the Convener proposed that the applicant be allowed to be an exception to the Board's policy on trading hours and that the application be granted for the remainder of the current Licence. This was agreed unanimously.

DECIDED: That the applicant be allowed to be an exception to the Board's policy on trading hours and that the application be granted for the remainder of the current licence.

7 Application for Grant of a Street Trader's Licence - Personal Appearance

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

Applicant: Andrew Hume Donaldson

Authorised goods: hot and cold food and beverages, milk

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

Operating hours: Huntly Road and Watt Road, Hillington – Monday – Friday 6.00am-2.30pm and Maxwell Street, Paisley – Monday – Sunday 9.00pm – 4.00am

There was no appearance by or on behalf of Mr Donaldson.

The Convener proposed that consideration of the application be continued to a future meeting of the Board to allow the applicant to attend. This was unanimously agreed.

DECIDED: That consideration of the application be continued to a future meeting of the Board to allow the applicant to attend.

8 Applications for Grant of Private Hire Car Drivers' Licences - Personal Appearances

There was 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) Soe Lwin

Mr Lwin together with Mr Anwar, Translator were invited into the meeting.

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

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

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

(c) Keith Robertson Napier

Mr Napier was invited into the meeting.

The Convener indicated his intention to consider this application along with application 9 (a), of the agenda, Application for the grant of a Private Hire Operator's Licence. This was agreed unanimously. After consideration of all matters before the Board, the Board adjourned to allow members to consider the applications. The meeting was reconvened, and the Convener proposed that both applications be granted for a period of one year. This was agreed unanimously.

DECIDED: That the applications for a Private Hire Car Driver's Licence and a Private Hire Car Operator's Licence be granted for a period of one year.

(d) Mohammad Amjad Khan

The Convener indicated his intention to consider this application together with application 9(b) of the agenda, Application for a Private Hire Car Operator's Licence. This was agreed unanimously. Mr Khan and Mr McKissock, Solicitor were invited into the meeting. After consideration of all matters before the Board, the Board adjourned to allow members to consider the applications. The meeting was reconvened, and the Convener proposed that the application be granted for a period of one year. This was agreed unanimously.

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

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(s) 3, 6 and 12 of part I of schedule 7A of the Local Government (Scotland) Act 1973.

9 Application for Renewal of a Private Hire Car Driver's Licence P0560 - Personal Appearance

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

Scott Robert Young

Mr Young was invited into the meeting. After consideration of all matters before the Board, the Board adjourned to allow members to consider the application. The meeting was 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.

Adjournment

The meeting adjourned at 11.10am and reconvened at 1.30pm.

10 Application for Renewal of a Skin Piercing and Tattooing Service - Personal Appearance

Under reference to item 8 of the Minute of the meeting of this Board held on 6 June 2019 there was submitted the undernoted application for renewal of a Skin Piercing and Tattooing Licence. The applicant had been asked to appear personally for the second time together with the Director of Communities, Housing & Planning Services who had submitted an objection to the application: -

Applicant: Shona Weir

Licence No: SP031

Premises: mobile service – Renfrewshire area

Ms Weir, the applicant was invited into the meeting together with R Marshall, Business Regulations Manager on behalf of the Director of Communities, Housing & Planning Services, 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 was reconvened, and the Convener proposed that the application be granted subject to an additional condition that Ms Weir provided to the Director of Communities, Housing & Planning Services a list of the premises she was likely to use, within 28 days of Licence being renewed and provide an updated list as further premises were used. This was agreed unanimously.

DECIDED: That the application be granted subject to an additional condition that Ms Weir provided to the Director of Communities, Housing and Planning Services a list of premises she is likely to use, within 28 days of licence being renewed and provide an updated list as further premises are used.

11 Applications for Grant of Private Hire Car Drivers' Licences - Personal Appearances

Under reference to item 5 of the Minute of the meeting of this Board held on 6 June 2019, there were submitted the undernoted applications for grant of Private Hire Car Drivers' Licences. Applicants (a) and (b) had been asked to appear personally for the second time together with Police Scotland who had submitted representations in respect of applications (a) and (b). Applicants (c), (d) and (e) had been asked to appear personally for the first time together with Police Scotland who had submitted representations in respect of applications (c), (d) and (e):-

(a) Mohammad Dahdal

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

(b) James Murphy

Mr Murphy, the applicant was invited into the meeting together with Sergeant Singh, on behalf of the Chief Constable who had submitted a representation in respect of the application. After consideration of all matters before the Board, the Board adjourned to allow members to consider the application. The meeting was reconvened, and Councillor cNaughtan seconded by Councillor Devine, moved that the application be granted for a period of one year with Mr Murphy being referred to Occupational Health within the next few months.

Councillor McEwan, seconded by Councillor Hughes, 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, five members voted for the motion and two members voted for the amendment. The motion was accordingly declared carried.

DECIDED: That the application be granted for a period of one year with an additional condition that Mr Murphy be referred to Occupational Health within the next few months. This was agreed unanimously.

(c) Ali Shah Khamoosh

There was no appearance by or on behalf of Mr Khamoosh. 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 Khamoosh'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.

(d) Paul Duncan Bain

Mr Bain, 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 Board adjourned to allow members to consider the application. The meeting was reconvened, and 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.

(e) Azam Matloob

Mr Matloob, the applicant, was invited into the meeting together with Sergeant Singh, on behalf of the Chief Constable who had submitted a representation in respect of the application. After consideration of all matters before the Board, the Board adjourned to allow members to consider the application. The meeting was reconvened, and 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.

12 Application for Grant of a 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 to the application:-

William Hutchison

Mr Hutchison, the applicant and Mr Banks, Solicitor were invited into the meeting together with Sergeant Singh on behalf of the Chief Constable who had submitted a representation in respect of the application.

After consideration of all matters before the Board, the Board adjourned to allow members to consider the application. The meeting was reconvened, and the Convener proposed that the application be refused. This was agreed unanimously.

DECIDED: That the application be refused.

13 Application for Renewal of a Taxi Operator's Licence - TX063 - 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 together with Police Scotland who had submitted a representation in respect of the application:-

Duncan Colville

Mr Colville, the applicant was invited into the meeting together with Sergeant Singh, on behalf of the Chief Constable who had submitted a representation in respect of the application. After consideration of all matters before the Board, the Board adjourned to allow members to consider the application. The meeting was 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.

14 Application for Grant of a Market Operator's Licence

There was submitted the undernoted application for a Market Operator'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: -

Applicant: A Helping Hand

Premises: Kelburn Cricket Club

Goods to be sold: Ice cream, snacks, handmade items, jewellery, craftwork

Date and time: - Sunday 1 September 2019, 11.00am – 5.00 pm

The Assistant Managing Solicitor (Licensing) advised the Board that the application had been withdrawn.

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