

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Thursday, 30 January 2020	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 John McNaughtan, Councillor Kevin Montgomery, Councillor Andy Steel, Councillor Jane Strang

Chair

Councillor McNaughtan, Convener, presided.

In Attendance

A McLaughlin, Senior Solicitor (Litigation and Regulatory Services), E Currie, Senior Committee Services Officer and N Barr, Administrative Assistant (all Finance & Resources).

Apologies

Councillors Audrey Doig, McEwan and Rodden.

Declarations of Interest

Councillor Devine declared a non-financial interest in item 3 (e) of the agenda as the applicant was known to him 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 Temporary Street Trader's Licence and Street Trader's Licence - Personal Appearance

There were submitted the undernoted applications for grant of a temporary Street Trader's Licence and grant of a Street Trader's Licence. The applicant had been asked to appear personally for the first time together with Nigel Hobbs, on behalf of Houston Community Council, who had submitted an objection to the application in respect of the Houston trading location and the Director of Environment & Infrastructure, Renfrewshire Council, who had submitted an objection to the application:-

Applicant: Philip McIntyre T/A Catering and Italian Street Food

Authorised goods: Italian street food, soft drinks and confectionery

Trading from: Fountain Crescent, Inchinnan, Monday to Sunday from 7.00 am to 15.30 pm; Florish Road, Erskine, Wednesday, Friday and Sunday from 4.00 pm to 11.00 pm; and South Street, Houston, Tuesday, Thursday and Saturday from 4.00 pm to 11.00 pm

Mr McIntyre, the applicant, was invited into the meeting together with Ms Heaney and Mr Reid, on behalf of the Director of Environment & Infrastructure, Renfrewshire Council, who had submitted an objection to the applications. There was no appearance by or on behalf of Houston Community Council.

The Convener proposed (i) that the objection from Houston Community Council be taken into account when the applications were being considered and (ii) that both applications be considered together but that separate decisions be made. This was agreed unanimously. Mr McIntyre also agreed to this.

Mr McIntyre withdrew the location at South Street, Houston from both his applications. After consideration of all matters before the Board, the Board adjourned to allow members to consider these applications. The meeting was reconvened.

Councillor McNaughtan, seconded by Councillor Hughes moved (i) that consideration of Mr McIntyre's amended application for a temporary Street Trader's Licence be continued and that the Director of Environment & Infrastructure be requested to provide a more detailed report on Mr McIntyre's proposed trading locations and (ii) that consideration of Mr McIntyre's amended application for grant of a Street Trader's Licence be continued and that the Director of Environment & Infrastructure be requested to provide a more detailed report on Mr McIntyre's proposed trading locations.

Councillor Devine, seconded by Councillor Montgomery, moved as an amendment (i) that Mr McIntyre's amended application for a temporary Street Trader's Licence be granted for a period of one year but only in respect of the location at Fountain Crescent, Inchinnan and (ii) that Mr McIntyre's amended application for grant of a Street Trader's Licence be granted for a period of one year but only in respect of the location at Fountain Crescent, Inchinnan.

In terms of Standing Order 30 the Convener intimated that the vote would be by a show of hands.

On the vote being taken, 3 members voted for the motion and 4 members voted for the amendment. The amendment was accordingly declared carried.

DECIDED:

(a) That Mr McIntyre's amended application for a temporary Street Trader's Licence be granted for a period of one year but only in respect of the location at Fountain Crescent, Inchinnan; and

(b) That Mr McIntyre's amended application for grant of a Street Trader's Licence be granted for a period of one year but only in respect of the location at Fountain Crescent, Inchinnan.

2 Grant of 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 together with the Director of Environment & Infrastructure, Renfrewshire Council, who had submitted an objection to the application:-

Applicant: Scott McAvoy

Authorised goods: hot and cold fast food and drink

Trading from: Argyll Avenue, Renfrew – beside football pitch

Operating hours: Monday to Sunday - 5.00 am to 5.00 pm

Mr McAvoy, the applicant, was invited into the meeting together with Ms Heaney and Mr Reid, on behalf of the Director of Environment & Infrastructure, Renfrewshire Council, who had submitted an objection to the application.

After consideration of all matters before the Board, the meeting 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.

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 3 of part I of schedule 7A of the Local Government (Scotland) Act 1973.

3 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 representations to applications (a), (b) and (c); a representation received outwith the statutory timescale to application (d); objections to applications (e), (f) and (g); and an objection received outwith the statutory timescale to application (h):-

(a) David McGeoch

There was no appearance by or on behalf of Mr McGeoch. Sergeant Robertson, Constable Hume and Ms Stevenson, on behalf of the Chief Constable who had submitted a representation to the application were invited into the meeting.

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.

(b) Joseph Inglis

Mr Inglis, the applicant, was invited into the meeting together with Sergeant Robertson, Constable Hume 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.

ADJOURNMENT

The meeting adjourned at 11.20 am and reconvened at 11.25 am.

(c) Craig Easton

Mr Easton, the applicant, was invited into the meeting together with Sergeant Robertson, Constable Hume 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.

(d) Waqar Bhatti

Mr Bhatti, the applicant, was invited into the meeting together with Sergeant Robertson, Constable Hume and Ms Stevenson, on behalf of the Chief Constable who had submitted a representation received outwith the statutory timescale to the application.

On hearing the reasons 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.

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.

DECLARATION OF INTEREST

Councillor Devine having declared a non-financial interest in the following item of business, left the meeting and took no part in the discussion or voting thereon.

(e) William Chalmers

Mr Chalmers, the applicant, was invited into the meeting together with Sergeant Robertson, Constable Hume 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 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.

SEDERUNT

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

(f) Adnan Arif

There was no appearance by or on behalf of Mr Arif. Sergeant Robertson, Constable Hume and Ms Stevenson, 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 Arif's absence and this was agreed unanimously.

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.

(g) Obaid Amiri

There was no appearance by or on behalf of Mr Amiri. Sergeant Robertson, Constable Hume and Ms Stevenson, 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 Amiri's absence and this was agreed unanimously.

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.

(h) Umran Ahmad

Mr Ahmad, the applicant, was invited into the meeting together with Sergeant Robertson, Constable Hume and Ms Stevenson, on behalf of the Chief Constable who had submitted an objection received outwith the statutory timescale to the application.

On hearing the reasons for the lateness of the objection, the Convener proposed that the objection be taken into account when the application was being considered. 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.

(i) Arvid Haubold

Mr Haubold, 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. This was agreed unanimously.

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

4 Grant of Private Hire Car Operator's Licence and Private Hire Car Driver's Licence - Personal Appearance

There were submitted the undernoted applications for grant of a Private Hire Car Operator's Licence and grant of a Private Hire Car Driver's Licence. The applicant had been asked to appear personally for the first time:-

Ablo Sow

The Senior Solicitor (Litigation and Regulatory Services) advised that Mr Sow had provided the correct paper work and his applications for grant of a Private Hire Car Operator's Licence and grant of a Private Hire Car Driver's Licence would be granted for periods of one year under delegated authority.

DECIDED: That it be noted that the applications would be granted for periods of one year under delegated authority.

5 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 the Director of Communities, Housing & Planning Services, Renfrewshire Council, who had requested that the applications be referred to the Board for consideration:-

(a) Stuart McIlree

Mr McIlree, the applicant, and his wife, Mrs McIlree, were invited into the meeting together with Mr Hunter and Ms Kettle, on behalf of the Director of Communities, Housing & Planning Services, Renfrewshire Council, who had requested that the application be referred to the Board for consideration.

After consideration of all matters before the Board, the meeting adjourned to allow members to consider this application. The meeting was reconvened and the Convener proposed (i) that consideration of the application be continued to allow the applicant to

provide evidence to the Board that he understood his obligations as a landlord and that he was a fit and proper person to be added to the register of landlords; and (ii) that the applicant be invited to a future meeting of the Board. This was agreed unanimously.

DECIDED:

(a) That consideration of the application be continued to allow the applicant to provide evidence to the Board that he understood his obligations as a landlord and that he was a fit and proper person to be added to the register of landlords; and

(b) That the applicant be invited to a future meeting of the Board.

(b) Eileen Gallacher

Ms Gallacher, the applicant, and her husband, Mr Gallacher, were invited into the meeting together with Mr Hunter and Ms Kettle, on behalf of the Director of Communities, Housing & Planning Services, Renfrewshire Council, who had requested that the application be referred to the Board for consideration.

After consideration of all matters before the Board, the meeting 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.