

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Wednesday, 20 September 2017	10:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

Present

Councillor Lisa-Marie Hughes, Councillor Alistair Mackay, Councillor Cathy McEwan, Councillor John McNaughtan, Councillor Kevin Montgomery, Councillor Emma Rodden, Councillor Andy Steel, Councillor Jane Strang

Chair

Councillor McNaughtan, Convener, presided.

In Attendance

A McLaughlin, Senior Solicitor (Litigation and Regulatory Services), P Shiach, Committee Services Officer and K Whiteside, Licensing Officer (Paralegal) (all Finance & Resources).

Apologies

Provost Lorraine Cameron and Councillor Eddie Devine.

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 item 6 of the agenda prior to the scheduled adjournment following item 5 of the agenda.

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.

1 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: -

Michael John Lawrie, 35 Sycamore Avenue, Johnstone

There was no appearance by or on behalf of Mr Lawrie. Inspector Kirkland and Sergeant Curran, on behalf of the Chief Constable who had submitted an objection in respect of the application were invited into the meeting. The Convener proposed that the matter be considered in Mr Lawrie'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.

2 Variation to Extend Hours – LHC-001 – Personal Appearance

There was submitted the undernoted application for the variation to extend hours to a Late Hours Catering 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: Mohammed Hossein Azizi, 37 Melville Gardens, Bishopbriggs

Premises: Mr Kebab, 36 Causeyside Street, Paisley

Operating hours: Sunday to Thursday 11.00 pm to 1.00 am

Friday and Saturday 11.00 pm to 4.00 am

Mr Azizi, the applicant, was invited into the meeting together with Inspector Kirkland and Sergeant Curran, on behalf of the Chief Constable who had submitted an objection 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.

3 Renewal of a Second Hand Dealer's Licence – SHD-095 - Personal Appearance

There was submitted the undernoted application for the renewal of a Second Hand Dealer'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:-

Net Motor Spares Limited, 15 McFarlane Street, Paisley

Mr Zarnowski, Director, Mr Lambert, Business Development Manager and Mr Banks, Solicitor, representing the applicant, were invited into the meeting together with Inspector Kirkland and Sergeant Curran, on behalf of the Chief Constable who had submitted an objection 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.

Councillor McNaughtan, seconded by Councillor Rodden, moved that the application be granted for a period of two years.

Councillor Steel, seconded by Councillor Montgomery, 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, 2 members voted for the amendment and 6 members voted for the motion. The motion was accordingly declared carried.

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

Adjournment

The meeting adjourned at 11.40 am and reconvened at 11.55 am.

4 Application for Renewal of a Street Traders Licence – Personal Appearance

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

Applicant: Elizabeth Margaret Donaldson, 400 Gladsmuir Road, Hillington – ST-475
Trading From: Watt Road and Huntly Road, Hillington Industrial Estate and Maxwell Street, Paisley

Operating Hours: Watt Road and Huntly Road, Hillington Industrial Estate – 6.00 am to 2.30 pm and Maxwell Street, Paisley – 9.00 pm to 4.00 am Monday to Sunday

Miss Donaldson, the applicant was invited into the meeting together with her father Mr Donaldson and Ms Burke, employee.

After consideration of all matters before the Board, 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 granted for a period of two years.

5 Application for Grant of Street Traders' Licences – Personal Appearances

There were submitted the undernoted applications for grant of Street Traders' Licences. The applicants had been asked to appear personally for the first time together with Police Scotland who had submitted an objection to application 5(b):-

(a) Applicant: Louise Burke, 10 Kintyre Avenue, Linwood

Trading From: Watt Road and Huntly Road, Hillington Industrial Estate and Maxwell Street, Paisley

Operating Hours: Watt Road and Huntly Road, Hillington Industrial Estate – 6.00 am to 2.30 pm Monday to Friday and Maxwell Street, Paisley – 9.00 pm to 4.00 am Monday to Sunday

Ms Burke, the applicant, was invited into the meeting together with Mr A Donaldson and Ms E Donaldson, her representatives.

After consideration of all matters before the Board, 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 one year. 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 granted for a period of one year.

(b) Applicant: Andrew Donaldson, Flat 1/1, 11 Meadowside Street, Renfrew

Trading From: Watt Road and Huntly Road, Hillington Industrial Estate and Maxwell Street, Paisley

Operating Hours: Watt Road and Huntly Road, Hillington Industrial Estate – 6.00 am to 2.30 pm Monday to Friday and Maxwell Street, Paisley – 9.00 pm to 4.00 am Monday to Sunday

Mr Donaldson, the applicant, his daughter, Ms Donaldson and her employee, Ms Burke were invited into the meeting together with Inspector Kirkland and Sergeant Curran, representing 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 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.

6 Renewal of a Late Hours Catering Licence

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

Applicant: Krispy Kreme Limited

Premises: Old Maritime Museum Building, Kings Inch Road, Braehead

Activity: Manufacture and retail of doughnuts and beverages

Operating Hours: Monday to Sunday – 11.00 pm to 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.

Adjournment

The meeting adjourned at 12.35 am and reconvened at 1.30 pm.

7 Grant of Landlord Registration – Personal Appearance

There was submitted the undernoted application for the grant of Landlord Registration. The applicant had been asked to appear personally for the first time: -

Mohammed Younis, 34 Carmichael Place, Glasgow

There was no appearance by or on behalf of Mr Younis. The Convener proposed that the application be continued to allow the landlord to appear personally at a future meeting of the Board. This was agreed unanimously.

DECIDED: That the application be continued to allow the applicant to appear personally at a future meeting of the Board.

8 Antisocial Behaviour Etc (Scotland) Act 2004 - Hearing into the Possible Removal from the Register of Private Landlords – 365003/3510/22211 - Personal Appearance

Under reference to item 12 of the Minute of the meeting of this Board held on 23 August 2017, the Board resumed consideration of the possible removal of the undernoted from the Register of Private Landlords. The Landlord had been asked to appear personally for the second time: -

Alan Hayes, 4 Ollach, Erskine

There was no appearance by or on behalf of Mr Hayes. The Convener proposed that the matter be considered in Mr Hayes' absence and this was agreed unanimously. After consideration of all matters before the Board, the Convener proposed that the Landlord be removed from the Register of Private Landlords. This was agreed unanimously.

DECIDED: That the Landlord be removed from the Register of Private Landlords.

9 Application for the Surrender and Re-issue of a Taxi Licence - Personal Appearance

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

Present Operator: Skyedale Limited, 16 Redhurst Crescent, Paisley
Proposed Operator: Colin Scott, 3 Leabank Avenue, Paisley
Licence No.: TX084

Mr Allen, representing Skyedale Limited, the current operator, was invited into the meeting. After consideration of all matters before the Board, the Convener proposed that the application be granted. This was agreed unanimously.

DECIDED: That the application be granted.

10 Application for Grant of a House in Multiple Occupation Licence HMO-017 - Personal Appearance

There was submitted the undernoted application for the grant of an HMO Licence. The applicant has been asked to appear personally for the first time together with the Director of Community Resources who has submitted a report on the outcome of enquiries made by the Council in relation to the suitability of the living accommodation at the address: -

RAMH, 41 Blackstoun Road, Paisley

Ms Byrne, the applicant was invited into the meeting together with Mr W Holmes, Environmental Health Officer and Ms F Wilson, Trading Standards and Licensing Manager, on behalf of the Director of Community Resources, who had submitted a report on the outcome of enquiries made by the Council in relation to the suitability of the living accommodation at the address.

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.