

## Minute of Meeting Regulatory Functions Board

| Date                        | Time  | Venue  |
|-----------------------------|-------|--|
| Thursday, 07 September 2017 | 10:00 | Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN |

**Present:** Provost Lorraine Cameron, 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), P Shiach, Committee Services Officer and K Whiteside, Licensing Officer (Paralegal) (all Finance & Resources).

### Apologies

Councillors McEwan and Rodden.

### 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 2 of the agenda prior to item 1 of the agenda and items 9, 10, 11(a), 11(b) and 11(c) of the agenda prior to 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 Request for Exemption from Assisting Wheelchair Passengers - Personal Appearance**

There was submitted the undernoted request for exemption from assisting wheelchair passengers. The applicant had been asked to appear personally for the first time: -

Mohammed Nasir, Flat 0/2, 87 Dixon Avenue, Glasgow

Mr Nasir, the licence holder, was invited into the meeting. After consideration of all matters before the Board, the Board adjourned to allow members to consider the request. The meeting was reconvened and the Convener proposed that the request be refused. This was agreed unanimously.

**DECIDED:** That Mr Nasir's request for exemption from assisting wheelchair passengers be refused.

### **2 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 applicant had been asked to appear personally for the first time:-

Present Operator: The Executor of Rosalin Holliday, Shutterflat Farm, Beith  
Proposed Operator: Rosalin Seymour, Shutterflat Farm, Beith  
Licence No.: TX193

Mrs Seymour, the applicant, 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.

### 3 Grant of Private Hire Car Drivers' Licences - Personal Appearances

There were submitted the undernoted applications for the 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) (c), (d), and an objection to application (e): -

(a) Shirley Jardine, 38 Quarry Street, Johnstone

There was no appearance by or on behalf of Ms Jardine. Sergeant Curran and Ms Stevenson, on behalf of the Chief Constable who had submitted a representation in respect of the application, were invited into the meeting. The Convener proposed that the matter be considered in Ms Jardine'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.

(b) John Nicolson, 14C Camphill Court, Paisley

Mr Nicolson, the applicant, was invited into the meeting together with Sergeant Curran and Ms Stevenson 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 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) David Smith, 28 Whitehills, Erskine

There was no appearance by or on behalf of Mr Smith. Sergeant Curran and Ms Stevenson, on behalf of the Chief Constable who had submitted a representation in respect of the application, were invited into the meeting. The Convener proposed that the matter be considered in Mr Smith's absence and this was agreed unanimously. After consideration of all matters before the Board, the Convener proposed that the application be continued to a future meeting to allow the applicant to appear in person. 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.

(d) David Burns, 2 Findhorn, Erskine

There was no appearance by or on behalf of Mr Burns. Sergeant Curran and Ms Stevenson, on behalf of the Chief Constable who had submitted a representation in respect of the application, were invited into the meeting. The Convener proposed that the matter be considered in Mr Burns' 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.

(e) Daniel Thomson, Flat 1/2, 4 Tower Terrace, Paisley

Mr Thomson, the applicant, was invited into the meeting together with Sergeant Curran and Ms Stevenson on behalf of the Chief Constable who had submitted an objection in respect of the application. The Senior Solicitor advised that the objection from Police Scotland took the form of two letters and that the second letter dated 16 May 2017 had not been circulated to members of the Board as it contained details of spent convictions.

After consideration of the age, nature and seriousness of the convictions the Convener proposed that the Board consider the applicant's spent convictions as the interests of justice so required.

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 Provost Cameron, moved that the application be granted for a period of one year.

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, 3 members voted for the amendment and 5 members voted for the motion. The motion was accordingly declared carried.

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

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

There were submitted the undernoted applications for Landlord Registration. The applicants had been asked to appear for the first time together with Police Scotland who had submitted a letter in respect of the applications: -

(a) Christopher McBride, 16 Kinnaird Drive, Linwood

Mr McBride, the applicant, and his father, were invited into the meeting together with Sergeant Curran and Ms Stevenson, on behalf of the Chief Constable who had submitted a letter 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 three years. This was agreed unanimously.

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

(b) Christopher Scott, 5 Bridle Road, Claygate, Esher

There was no appearance by or on behalf of Mr Scott. Sergeant Curran and Ms Stevenson, on behalf of the Chief Constable who had submitted a letter in respect of 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.

## **5 Surrender and Re-issue of Taxi Operators' Licences**

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

(a) Present Operator: Charles Richardson 7C Gertrude Place, Barrhead  
Proposed Operator: William Guthrie, 81 Culzean Crescent, Newton Mearns  
Licence No: TX198

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

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

(b) Present Operator: Neil McCaig, 46Lochy Place, Erskine  
Proposed Operator: Graeme Anderson, 32 Renshaw Road, Bishopbriggs  
Licence No: TX098

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

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

## **6 Renewal of Taxi/Private Hire Booking Office Licence**

There was submitted the undernoted application for renewal of a Taxi/Private Hire Booking Office Licence: -

Renfrewshire Cab Co, 33a New Sneddon Street, Paisley

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.

## **7 Renewal of Late Hours Catering Licences**

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

(a) Applicant: BP Express Shopping Limited, Chertsey Road, Sunbury on Thames  
Premises: BP Express, Greenock Road, Paisley  
Authorised Goods: Petrol filling station with general convenience  
Operating Hours: 7 days per week – 11.00 pm to 5.00 am  
Licence No.: LHC031

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: Shell UK Oil Products Limited, Shell Centre, London  
Premises: Shell, Hillington Road, Glasgow  
Authorised Goods: Convenience store located on petrol forecourt  
Operating Hours: 7 days per week – 11.00 pm to 5.00 am  
Licence No.: LHC025

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.

(c) Applicant: Shell UK Oil Products Limited, Shell Centre, London  
Premises: Shell, Centreholm Roundabout, Erskine  
Authorised Goods: Convenience store located on petrol forecourt  
Operating Hours: 7 days per week – 11.00 pm to 5.00 am  
Licence No.: LHC028

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 11.50 am and reconvened at 1.30 pm. Provost Cameron was not present when the meeting reconvened.

## **8 Hearings into Possible Removal from the Register of Private Landlords - Personal Appearances**

Under reference to item 10 of the Minute of the meeting of this Board held on 31 May 2017, the Board resumed consideration 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) Jenny Wong, Flat 9/1, 15 Kirkton Avenue, Glasgow

There was no appearance by or on behalf of Dr Wong. 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.

(b) Kai Chi Loi, 416 Rua Cidade de Coimbra, Edf Brilhanismo, 3 Andar y Nape, Macao

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

## **9 Renewal of Taxi Drivers' Licences - Personal Appearances**

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

(a) William Kirkland, Flat 1/2, 17 Overdale Gardens, Glasgow – T1195

Mr Kirkland, 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.

(b) James Madden, 47 Queen Square, Glasgow – T2239

The Senior Solicitor (Licensing and Litigation) advised that this application had been granted under delegated authority for a period of two years.

**DECIDED:** That it be noted that the application had been granted under delegated authority for a period of two years.

## **10 Renewal of Private Hire Car Operator's Licence - Personal Appearance**

Debbie Graham, 78 Chapelhill Road, Paisley PH1463

The Senior Solicitor (Licensing and Litigation) advised that this application had been granted under delegated authority for a period of two years.

**DECIDED:** That it be noted that the application had been granted under delegated authority for a period of two years.

## **11 Grant of Private Hire Car Operators' Licences - Personal Appearances**

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

(a) Mohammed Sayem, Flat 1/2, 9 Espedair Street, Paisley.

Mr Sayem, the applicant, was invited into the meeting together with his wife Ms McDermott. 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.

(b) Henry Mejury, 33 Birchwood Drive, Paisley

Mr Mejury, 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.