

Minute of Special Meeting Regulatory Functions Board

Date	Time	Venue
Thursday, 07 July 2016	10:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

PRESENT

Councillors B Brown, E Devine, M Devine, Provost Hall, Councillors Hood and McQuade.

CHAIR

Councillor Hood, Convener, presided.

IN ATTENDANCE

M O'Neill, Senior Solicitor (Litigation and Regulatory Function), E Currie, Senior Committee Services Officer, K Whiteside, Licensing Officer (Paralegal) and G McIntosh, Civic Government Enforcement Officer (all Finance & Resources).

APOLOGIES

Councillors M Brown, McEwan, Mullin and Mylet.

DECLARATIONS OF INTEREST

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

EXCLUSION OF PRESS AND PUBLIC

The Board resolved that the press and public be excluded from the meeting during consideration of item 1 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 TAXI LICENCES - PERSONAL APPEARANCE

Under reference to item 13 of the Minute of the meeting of this Board held on 15 June 2016 there were submitted the undernoted applications for the grant of Taxi Licences. The applicant had been asked to appear personally for the second time together with Anthony Stewart, Ewan Stewart, Stewart Williamson, Allan Kerr, Jonathan Prew, Frederick Cumming, William Morrison, David McCallum, James Kilgour and Kenneth Barnes who had submitted objections received outwith the statutory timescale to the applications:-

Paul McCarthy, Flat 0/2 27 Kilnside Road, Paisley – 2 applications

Mr McCarthy, the applicant, was invited into the meeting together with Mr A Stewart, Mr Williamson, Mr Prew and Mr Morrison, late objectors to the application. Mr Williamson advised that he would represent Mr Prew at the meeting. There was no appearance by or on behalf of Mr E Stewart, Mr Kerr, Mr Cumming, Mr McCallum, Mr Kilgour or Mr Barnes, late objectors to the application.

The Senior Solicitor (Litigation and Regulatory Function) asked Mr McCarthy if he would be happy to address the Board only once on both applications with the Board reaching separate decisions on his applications or if he wished to address the Board separately on both applications. Mr McCarthy advised that he would be happy to address the Board only once on both applications with the Board reaching separate decisions on his applications.

The Convener proposed that the meeting be adjourned to allow members to clarify matters with the Senior Solicitor (Litigation and Regulatory Function). This was agreed unanimously. The meeting was reconvened and the Convener advised Mr McCarthy that at this stage in proceedings, the Board was only considering the matter of the lateness of the objections to his applications.

The Senior Solicitor (Litigation and Regulatory Function) advised that two of the late objections received to Mr McCarthy's applications had been withdrawn on the evening prior to the Board meeting and replaced with a further two late objections. Mr McCarthy was provided with copies of the two further late objections. The Convener proposed that the Board adjourn to allow Mr McCarthy time to consider these further late objections and this was agreed unanimously.

The meeting was reconvened and on hearing from Mr A Stewart, Mr Williamson, Mr Prew and Mr Morrison, objectors present and represented, as to the reasons for their objections being received outwith the statutory timescale the Convener proposed that these objections be taken into account when the applications were being considered. This was agreed unanimously.

The Board adjourned to allow members to consider the matter of the objections received outwith the statutory timescale by Mr E Stewart, Mr Kerr, Mr Cumming, Mr McCallum, Mr Kilgour and Mr Barnes, objectors not in attendance at the meeting.

The meeting was reconvened and the Convener proposed that the objections received from Mr E Stewart, Mr Kerr, Mr Cumming and Mr McCallum be taken into account when the applications were being considered and that the objections withdrawn and replaced by Mr Kilgour and Mr Barnes be not taken into account when the applications were being considered. This was agreed unanimously.

The Convener further proposed that both applications be considered together and that separate decisions would be reached. 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 subject to the usual conditions as well as additional conditions that a vehicle meeting the requirements of condition 22 to each licence be attached to each licence by 30 November 2016 and prior to operating under the terms of the licences and that insurance meeting the terms of condition 6 be arranged for each licence by 30 November 2016. This was agreed unanimously. Mr McCarthy also agreed to these additional conditions.

DECIDED: That both applications be granted for a period of one year subject to the usual conditions as well as additional conditions that a vehicle meeting the requirements of condition 22 to each licence be attached to each licence by 30 November 2016 and prior to operating under the terms of the licences and that insurance meeting the terms of condition 6 be arranged for each licence by 30 November 2016.

2 GRANT OF TAXI LICENCES - PERSONAL APPEARANCE

Under reference to item 12 of the Minute of the meeting of this Board held on 15 June 2016 there were submitted the undernoted applications for the grant of Taxi Licences. The applicant had been asked to appear personally for the second time together with Anthony Stewart, Ewan Stewart, Stewart Williamson, Allan Kerr, Jonathan Prew, Frederick Cumming, William Morrison, David McCallum, James Kilgour and Kenneth Barnes who had submitted objections received outwith the statutory timescale to the applications:-

Renfrewshire Radio Taxis Limited, 6 Auchengreoch Avenue, Johnstone – 2 applications

Mrs Gatley and her son, Mr Gatley, on behalf of the applicant, were invited into the meeting together with Mr A Stewart, Mr Williamson and Mr Morrison, late objectors to the application. Mr Williamson advised that he would represent Mr Prew at the meeting. There was no appearance by or on behalf of Mr E Stewart, Mr Kerr, Mr Cumming, Mr McCallum, Mr Kilgour or Mr Barnes, late objectors to the application.

The Senior Solicitor (Litigation and Regulatory Function) asked Mrs Gatley if she would be happy to address the Board only once on both applications with the Board reaching separate decisions on the applications or if she wished to address the Board separately on both applications. Mrs Gatley advised that she would be happy to address the Board only once on both applications with the Board reaching separate decisions on the applications.

The Senior Solicitor (Litigation and Regulatory Function) advised that two of the late objections received to Renfrewshire Radio Taxis Limited's applications had been withdrawn on the evening prior to the Board meeting and replaced with a further two late objections. Mrs Gatley was provided with copies of the two further late objections. The Convener proposed that the Board adjourn to allow Mrs Gatley time to consider these further late objections and this was agreed unanimously.

The meeting was reconvened and on hearing from Mr A Stewart, Mr Williamson, Mr Prew and Mr Morrison, objectors present and represented, as to the reasons for their objections being received outwith the statutory timescale the Convener proposed that these objections be taken into account when the applications were being considered. This was agreed unanimously.

On considering the matter of the objections received outwith the statutory timescale by Mr E Stewart, Mr Kerr, Mr Cumming, Mr McCallum, Mr Kilgour and Mr Barnes, objectors not in attendance at the meeting, the Convener proposed that the objections received from Mr E Stewart, Mr Kerr, Mr Cumming and Mr McCallum be taken into account when the applications were being considered and that the objections withdrawn and replaced by Mr Kilgour and Mr Barnes be not taken into account when the applications were being considered. This was agreed unanimously.

The Convener further proposed that both applications be considered together and that separate decisions would be reached. 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 subject to the usual conditions as well as additional conditions that a vehicle meeting the requirements of condition 22 to each licence be attached to each licence by 30 November 2016 and prior to operating under the terms of the licences and that insurance meeting the terms of condition 6 be arranged for each licence by 30 November 2016. This was agreed unanimously. Mrs Gatley also agreed to these additional conditions.

DECIDED: That both applications be granted for a period of one year subject to the usual conditions as well as additional conditions that a vehicle meeting the requirements of condition 22 to each licence be attached to each licence by 30 November 2016 and prior to operating under the terms of the licences and that insurance meeting the terms of condition 6 be arranged for each licence by 30 November 2016.