

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Wednesday, 22 August 2018	10:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

Present

Councillor Eddie Devine, Councillor Cathy McEwan, Councillor John McNaughtan, Councillor Kevin Monthgomery, Councillor Andy Steel, Councillor Jane Strang

Chair

Councillor McNaughtan, Convener, presided.

In Attendance

D Campbell, Assistant Managing Solicitor (Licensing), P Shiach, Committee Services Officer and K Marriot, Administrative Assistant (Licensing) (all Finance & Resources).

Apologies

Provost Cameron and Councillor Hughes.

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 10, Grant of a Street Trader's Licence - Personal Appearance of the agenda prior to item 9, Grant of a Late Hours Catering Licence - Personal Appearance of the agenda.

1 Renewal of Late Hours Catering Licences

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

(a) Applicant: Boots UK Limited

Premises: Terminal Building, Glasgow Airport, Paisley

Authorised Goods: Snack food retail, soft drinks and crisps

Operating Hours: 7 days per week – 11.00 pm to 5.00 am

Licence No.: LHC029

The Convener proposed that the applicant continue to 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 applicant continue to 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: Select Services Partner UK Limited

Premises: Starbucks, Glasgow Airport, Landside Arrivals, Paisley

Authorised Goods: Catering including teas/coffees and hot and cold food

Operating Hours: 7 days per week – 11.00 pm to 5.00 am

Licence No.: - LHC042

The Convener proposed that the applicant continue to 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 applicant continue to 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: Select Services Partner UK Limited

Premises: Starbucks, Glasgow Airport, Main International Departures Lounge, Paisley

Authorised Goods: Catering including teas/coffees and hot and cold food

Operating Hours: 7 days per week – 11.00 pm to 5.00 am

Licence No.: - LHC042

The Convener proposed that the applicant continue to 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 applicant continue to 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.

2 Grant of Landlord Registration - Personal Appearance

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

Emma Wallace, 105 Glenapp Avenue Paisley.

The Assistant Managing Solicitor (Licensing) advised that following receipt of additional information, the application had been granted under delegated authority for a period of three years.

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

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

Under reference to item 6 of the Minute of the meeting of this Board held on 7 June 2018 the Board resumed consideration of the undernoted applications for the grant of Private Hire Car Drivers' Licences and considered the undernoted application for a Private Hire Car Driver's Licence. Applicants (a) and (b) had been asked to appear personally for the second time together with Police Scotland who had submitted a representation received outwith the statutory timescale to application (a) and an objection received outwith the statutory timescale to application (b) together with a further letter. Applicant (c) had been invited to appear personally for the first time together with Police Scotland who had submitted an objection to the application: -

(a) William McCallum, 57 Wenlock Road, Paisley

Mr McCallum was invited into the meeting together with Sergeant Hay, 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 representation being received outwith the statutory timescale it was decided that the representation be taken into account when the application was being considered.

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) Kenneth Richards, 33 Moorfoot Avenue, Paisley

There was no appearance by or on behalf of Mr Richards. Sergeant Hay, on behalf of the Chief Constable who had submitted an objection received outwith the statutory timescale to the application was invited into the meeting. On hearing the reasons for the objection being received outwith the statutory timescale it was decided that the objection be taken into account when the application was being considered. The Convener proposed that the application be considered in Mr Richard's absence and this was agreed unanimously.

The Senior Solicitor (Litigation and Regulatory Services) advised that a second letter had been received from Police Scotland which contained details of convictions which were protected.

On hearing the reasons for the submission of the second letter, the Convener proposed that the interests of justice required that these convictions be admitted. 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.

(c) Kristopher McGlinchey, 13F Simons Crescent, Renfrew

Mr McGlinchey was invited into the meeting together with Sergeant Hay, on behalf of the Chief Constable who had submitted an objection to the application

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.

4 Renewal of Private Hire Car Driver's Licence - Personal Appearance

There was submitted the undernoted application for renewal 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 a representation to the application: -

Alexander McConville, 1 Helmsdale Drive, Paisley

There was no appearance by or on behalf of Mr McConville. Sergeant Hay, on behalf of the Chief Constable who had submitted a representation to the application was 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 Grant of Private Hire Car Operators' Licences - Personal Appearance

Under reference to item 5 of the Minute of the meeting of this Board held on 23 May 2018, the Board resumed consideration of the undernoted applications for the grant of Private Hire Car Operators' Licences. The applicant had been asked to appear personally for the second time: -

(a) Greenlaw Garage Limited, 36 Back Sneddon Street, Paisley (Application 1)

There was no appearance by or on behalf of Greenlaw Garage Limited. The Convener proposed that the application be considered in the applicant'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) Greenlaw Garage Limited, 36 Back Sneddon Street, Paisley (Application 2)

There was no appearance by or on behalf of Greenlaw Garage Limited. The Convener proposed that the application be considered in the applicant'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.

6 Renewal of Private Hire Car Operator's Licence - Personal Appearance

There was submitted the undernoted application for the renewal of a Private Hire Car 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:-

Mohammed Aslam, 7 Wedderlea Drive, Glasgow

There was no appearance by or on behalf of Mr Aslam. Sergeant Hay, on behalf of the Chief Constable who had submitted an objection to the application was invited into the meeting. The Convener proposed that the application be considered in the applicant's absence and this was agreed unanimously.

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.

7 Renewal of Taxi Driver's Licence - Personal Appearance

There was submitted the undernoted application for the renewal 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: -

Thomas McGarrell, 287 Main Road, Glasgow

There was no appearance by or on behalf of Mr McGarrell. Sergeant Hay, on behalf of the Chief Constable who had submitted a representation to the application was invited into the meeting.

The Convener proposed that consideration of the application be continued, and that Mr McGarrell 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.

8 Request for Exemption from Assisting Wheelchair Passengers - Personal Appearance

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

Alexander Gordon, 50 Renshaw Drive, Hillington, Glasgow

Mr Gordon, the applicant, was invited into the meeting. After consideration of all matters before the Board, the Convener proposed that Mr Gordon's request for exemption from assisting wheelchair passengers be granted for the duration of his current Taxi Driver's Licence. This was agreed unanimously.

DECIDED: That Mr Gordon's request for exemption from assisting wheelchair passengers be granted for the duration of his current Taxi Driver's Licence.

Adjournment

The meeting adjourned at 12.20 pm and reconvened at 1.00 pm.

Councillor McEwan was not present when the meeting reconvened.

9 Grant of Street Trader's Licence - Personal Appearance

Under reference to item 4 of the Minute of the meeting of this Board held on 7 June 2018, the Board resumed consideration of the undernoted application for the grant of a Street Trader's Licence. The applicant had been asked to appear personally for the second time: -

Applicant: William Love, 237 Talla Road, Hillington, Glasgow

Authorised Goods: hot and cold food, beverages, confectionery and milk

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

Operating Hours: Hillington – Monday to Friday – 6.00 am to 2.30 pm and Paisley – 7 days per week – 9.00 pm to 4.00 am

Mr Donaldson, representing 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.

10 Grant of Late Hours Catering Licence - Personal Appearance

Under reference to item 9 of the Minute of the meeting of this Board held on 7 June 2018 the Board resumed consideration of the undernoted application for a Late Hours Catering Licence. The applicant had been asked to appear personally for the second time together with Police Scotland who had submitted an objection received outwith the statutory timescale to the application: -

Applicant: Avtar Singh, 8 Duthie Park Place, Glasgow

Premises: East End Tandoori, 3A Ladyburn Street, Paisley

Authorised Goods: hot food takeaway

Operating Hours: Monday to Thursday – 11.00pm to 12 midnight and Friday, Saturday and Sunday – 11.00 pm to 2.00 am

There was no appearance by or on behalf of Mr Singh. Sergeant Hay, on behalf of the Chief Constable who had submitted an objection received outwith the statutory timescale to the application was invited into the meeting. On hearing the reasons for the objection being received outwith the statutory timescale it was decided that the objection be taken into account when the application was being considered. The Convener proposed that the application be considered in Mr Singh's absence and this was agreed unanimously.

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.