

## Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Wednesday, 13 March 2024	10:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

**Present:** Councillor Audrey Doig, Councillor Neill Graham, Councillor Lisa-Marie Hughes, Councillor Janis McDonald, Councillor Cathy McEwan, Councillor John McNaughtan, Councillor Andy Steel

### Chair

Councillor McNaughtan, Convener, presided.

### In Attendance

C Dalrymple, Head of Facilities & Property Services and T Irvine, Homeless & Housing Support Services Manager (both Environment, Housing & Infrastructure) (for item 1 only); R Graham, Senior Solicitor (Litigation & Regulatory Services), C Gregory, Senior Solicitor (Litigation & Advice), E Currie, Senior Committee Services Officer, D Cunningham and A Easdon, both Committee Services & Licensing Officers and K Marriott and S Kerr, both Licensing & Committee Assistants (all Finance & Resources).

### Apologies

Councillors Montgomery and Mullin.

### Declarations of Interest

Councillor McNaughtan declared an interest in items 2(c), (d), (e), (f) and (g) of the agenda for the reason that he had prior knowledge of the applications which had been discussed at a meeting of the Paisley East & Whitehaugh Community Council which he had attended. Councillor McNaughtan indicated that as he had declared an interest, he would withdraw from the meeting during any discussion and voting on the items.

## **Transparency Statement**

Councillor McNaughtan indicated that he had a connection to the additional item of business he would propose be considered at this meeting by reason of the person named in the report being a constituent in his Ward and having prior knowledge of the background referred to within the report. However, he indicated that he had applied the objective test and did not consider he had an interest to declare.

## **Additional Item**

The Convener intimated that there was an additional item of business in relation to Renfrewshire House – Exclusion Order which had not been included in the notice calling the meeting. The Convener, being of the opinion that the item, which is dealt with at item 1 below, was urgent, authorised its consideration.

## **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 items 3, 4(a) and (b), and 5(a) and (b) of the agenda after item 2(f) of the agenda and item 2(h) of the agenda before item 2(g) 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 item 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 paragraphs 3 and 13(a) and (b) of part I of schedule 7A of the Local Government (Scotland) Act 1973.

### **1 Renfrewshire House - Exclusion Order**

There was submitted a report by the Director of Environment, Housing & Infrastructure relative to the making of an Exclusion Order in terms of section 117 of the Civic Government (Scotland) Act 1982,

The report intimated that Renfrewshire Council had made Management Rules in respect of its headquarters at Renfrewshire House, Cotton Street, Paisley which set out behaviours which were not permitted within the Council's headquarters. Further that an individual had persistently contravened or attempted to contravene these Management Rules and the report sought to make the individual the subject of an Exclusion Order, thereby excluding that person from the land and premises to which the Management Rules applied, except for those periods where the person had, by prior arrangement, been invited to attend for a specific reason, for a period of one year.

The report intimated that, if approved, the Exclusion Order would take effect on 28 March 2024.

**DECIDED:**

(a) That the contents of this report detailing the efforts undertaken by officers to engage with the person named within the report be noted;

(b) That it be agreed that the person named within the report had persistently contravened or attempted to contravene the Management Rules applying to the Council's headquarters and was likely to contravene them again;

(c) That the person named within the report be made subject to an Exclusion Order in terms of section 117 of the Civic Government (Scotland) Act 1982 thereby excluding that person from land and premises to which the Management Rules applied, except for those periods where they had, by prior arrangement, been invited to attend for a specific reason, for a period of one year;

(d) That the Exclusion Order take effect on 28 March 2024; and

(e) That it be noted that officers would continue to support the person named within the report wherever required.

**Sederunt**

Councillor Hughes entered the meeting prior to consideration of the following item of business.

**Admission of the Press and Public**

The press and public were invited back into the meeting prior to consideration of the following item of business.

**2 Grant of Taxi Operator's Licence – Personal Appearance**

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

Kamran Bashir

Mr Bashir, the applicant, was invited into the meeting and he advised that he wished to withdraw his application.

**DECIDED:** That it be noted that the application had been withdrawn.

**3 Grant of Short-term Let Licences – Personal Appearances**

There were submitted the undernoted applications for grant of Short-term Let Licences. The applicants had been asked to appear personally for the first time together with the objectors to the applications:-

(a) Applicant: Investments 38 Limited  
Premises: 65 Huntly Terrace, Paisley

Mr Corr, on behalf of the applicant, was invited into the meeting. There was no appearance by or on behalf of Mr Stevenson, Mr and Mrs Wilson, Ms Jones, Mr Johnstone, Mr and Mrs Wilson, Mr Orr, Mr Cameron, Ms Stevenson, Ms McCabe, Mr Fleming, Ms Johnstone or Mr Easton, the objectors to the application. 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.

(b) Applicant: Mez Property Limited  
Premises: 23 Baronscourt Gardens, Paisley

Ms Merrells, on behalf of the applicant, and Ms Moore, on behalf of the applicant's Management Company, were invited into the meeting. There was no appearance by or on behalf of Councillor McMillan or Ms Young, the objectors to the application. 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.

### **Declaration of Interest**

Councillor McNaughtan having previously declared interests in items (c), (d), (e) and (f) left the meeting and took no part in the discussion or voting thereon.

### **Adjournment**

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

### **Chair**

Councillor McEwan, Depute Convener, assumed the Chair.

(c) Applicant: Brian Souter  
Premises: Flat 5, 10 Kilinside Road, Paisley

Mr Souter, the applicant, was invited into the meeting. There was no appearance by or on behalf of Paisley East & Whitehaugh Community Council, the objector to the application. After consideration of all matters before the Board, the Depute 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.

(d) Applicant: Brian Souter  
Premises: Flat 5, 14 Kilinside Road, Paisley

Mr Souter, the applicant, remained in the meeting having not left following consideration of the previous item of business. There was no appearance by or on behalf of Paisley East & Whitehaugh Community Council, the objector to the application. After consideration of all matters before the Board, the Depute 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.

(e) Applicant: Gordon Duncan  
Premises: Flat 1/2, 54 Kilinside Road, Paisley

Mr Duncan, the applicant, and Ms Garcia, his wife, were invited into the meeting. There was no appearance by or on behalf of Paisley East & Whitehaugh Community Council, the objector to the application. After consideration of all matters before the Board, the Depute 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.

(f) Applicant: Gordon Duncan  
Premises: Flat 3/1, 47 Cochran Street, Paisley

Mr Duncan, the applicant, and Ms Garcia, his wife, remained in the meeting having not left following consideration of the previous item of business. There was no appearance by or on behalf of Paisley East & Whitehaugh Community Council, the objector to the application. After consideration of all matters before the Board, the Depute 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.

## **Adjournment**

The meeting adjourned at 12 noon and resumed at 1.30pm.

## **Chair**

Councillor McNaughtan entered the meeting prior to consideration of the following item of business and resumed the Chair.

## **Exclusion of Press and Public**

The Board resolved that the press and public be excluded from the meeting during consideration of items 4, 5, 6 and 7(a) 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.

#### 4 **Grant of Private Hire Car Driver's Licence – Personal Appearance**

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

Paul Kennedy

There was no appearance by or on behalf of Mr Kennedy, the applicant. Sergeant Robertson was invited into the meeting, on behalf of the Chief Constable who had submitted a representation to the application. The Convener proposed that the application be considered in Mr Kennedy's absence. This was agreed unanimously. Sergeant Robertson requested that consideration of the application be continued to a future meeting of the Board. After consideration of all matters before the Board, 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 Taxi Drivers' Licences – Personal Appearances**

Under reference to items 6(d) and 6(e), respectively, of the Minute of the meeting of this Board held on 1 February 2024, consideration was resumed of the undernoted applications for grant of Taxi Drivers' Licences. The applicants had been asked to appear personally for the second time together with Police Scotland who had submitted representations to the applications:-

(a) Gerald Adams

There was no appearance by or on behalf of Mr Adams, the applicant. Sergeant Robertson, remained in the meeting having not left following consideration of the previous item of business, on behalf of the Chief Constable who had submitted a representation to the application. The Convener proposed that the application be considered in Mr Adam's absence. This was agreed unanimously. After consideration of all matters before the Board, 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) Hasan Babelli

Mr Babelli, the applicant, was invited into the meeting. Sergeant Robertson, remained in the meeting having not left following consideration of the previous item of business, 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.

## 6 **Grant of Taxi Drivers' Licences**

There were submitted the undernoted applications for grant of Taxi Drivers' Licences:-

(a) Jahanzab Tufaila

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) Shakeel Ahmed Ghafar Begum

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.

## 7 **Grant of Short-term Let Licences - Personal Appearances**

There were submitted the undernoted applications for grant of Short-term Let Licences. The applicants had been asked to appear personally for the first time together with the late objector to application (a) and the objectors and late objectors to application (b):-

(a) Applicant: William Laird  
Premises: Flat 0/1, 2 Canal Terrace, Paisley

Mr Laird, the applicant, and Ms Perry were invited into the meeting. There was no appearance by or on behalf of Mr Connor and Ms Halbert, who had submitted an objection received outwith the statutory timescale to the application. The Convener proposed that the objection from Mr Connor and Ms Halbert be not taken into account when the application was being considered as the objector was not in attendance to provide reasons as to why the objection was received outwith the statutory timescale to the application. This was agreed unanimously. 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.

### **Declaration of Interest**

Councillor McNaughtan having previously declared an interest in (b) left the meeting and took no part in the discussion or voting thereon.

### **Chair**

Councillor McEwan, Depute Convener, assumed the Chair.

## **Sederunt**

Councillor McDonald left the meeting prior to consideration of the following item of business.

## **Admission of the Press and Public**

The press and public were invited back into the meeting prior to consideration of the following item of business.

(b) Applicant: Carol-Anne Brown  
Premises: Flat 5/1, 1 Abbey Place, Paisley

Mrs Brown, the applicant, and Mr Brown, her husband, were invited into the meeting together with Mr McCue, Mr Stewart, who also represented Ms Graham, the objectors to the application and Ms Cunningham and her representative, Mr Watson, Ms White and Ms McDonald, who had submitted objections received outwith the statutory timescale to the application. There was no appearance by or on behalf of Paisley East & Whitehaugh Community Council, an objector to the application.

The Senior Solicitor (Litigation & Regulatory Services) advised as to the reasons for the lateness of the objections from Ms Cunningham, Ms White and Ms McDonald. The Depute Convener proposed that the objections from Ms Cunningham, Ms White and Ms McDonald be taken into account when the application was being considered. This was agreed unanimously. Ms Brown objected to Ms Cunningham's, Ms White's and Ms McDonald's objections being 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 this application. The meeting was reconvened and the Depute Convener proposed that consideration of the application be continued to allow the applicant to submit details of her buildings insurance policy to the licensing section and that the applicant and objectors be invited to a future meeting of the Board. This was agreed unanimously.

**DECIDED:** That consideration of the application be continued to allow the applicant to submit details of her buildings insurance policy to the licensing section and that the applicant and objectors be invited to a future meeting of the Board.