

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Thursday, 01 February 2024	10:00	Remotely by MS Teams,

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

Chair

Councillor McNaughtan, Convener, presided.

In Attendance

R Graham, Senior Solicitor (Litigation & Regulatory Services), E Currie, Senior Committee Services Officer, J Barron, Committee Services Officer, A Easdon, Committee Services & Licensing Officer and R McCallum, Licensing & Committee Assistant (all Finance & Resources).

Recording of Meeting

Prior to the commencement of the meeting, the Convener intimated that this meeting would be recorded for subsequent broadcast via the Council's internet site.

Declarations of Interest and Transparency Statements

There were no declarations of interest or transparency statements 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(c) of the agenda before item 6(a) of the agenda.

1 **Renewal of Late Hours Catering Licences**

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

(a) Applicant: Select Service Partner Limited
Premises: Bird & Signet, Departures Lounge, Glasgow Airport, Paisley
Activity: hot and cold drinks and food
Operating hours: Monday to Sunday - 11.00 pm to 5.00 am
Licence No.: LHC002

The Convener proposed that the application be granted for a period of two years and that the applicant continue to be an exception to the Board's policy on trading hours. This was agreed unanimously.

DECIDED: That the application be granted for a period of two years and that the applicant continue to be an exception to the Board's policy on trading hours.

(b) Applicant: Select Service Partner Limited
Premises: Spinning Jenny, Domestic Arrivals, Glasgow Airport, Paisley
Activity: hot and cold drinks and food.
Operating hours: Monday to Sunday - 11.00 pm to 5.00 am
Licence No.: LHC004

The Convener proposed that the application be granted for a period of two years and that the applicant continue to be an exception to the Board's policy on trading hours. This was agreed unanimously.

DECIDED: That the application be granted for a period of two years and that the applicant continue to be an exception to the Board's policy on trading hours.

(c) Applicant: Select Service Partner Limited
Premises: Burger King, Glasgow Airport Airside, Paisley
Activity: hot and cold drinks and food.
Operating hours: Monday to Sunday - 11.00 pm to 5.00 am
Licence No.: LHC093

The Convener proposed that the application be granted for a period of two years and that the applicant continue to be an exception to the Board's policy on trading hours. This was agreed unanimously.

DECIDED: That the application be granted for a period of two years and that the applicant continue to be an exception to the Board's policy on trading hours.

(d) Applicant: Select Service Partner Limited
Premises: M&S Simply Food, Terminal 1, Glasgow Airport, Paisley
Activity: supermarket
Operating hours: Monday to Sunday - 11.00 pm to 5.00 am
Licence No.: LHC119

The Convener proposed that the application be granted for a period of two years and that the applicant continue to be an exception to the Board's policy on trading hours. This was agreed unanimously.

DECIDED: That the application be granted for a period of two years and that the applicant continue to be an exception to the Board's policy on trading hours.

2 **Variation of Taxi Operator's Licence - Personal Appearance**

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

Applicant: Robert McCue

Variation: exception to policy and standard condition 22

Licence No.: TX075

The Senior Solicitor (Litigation & Regulatory Services) advised that this application had been withdrawn.

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

3 **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 applicants had been asked to appear personally for the first time:-

Present Operator: William Mottram

Proposed Operator: Antonio Esposito

Licence No.: TX188

Mr Mottram and Mr Esposito, the applicants, both joined the meeting by telephone call. After consideration of all matters before the Board, the Convener proposed that the application be granted.

DECIDED: That the application be granted.

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.

4 **Variation of Taxi Operator's Licence - Personal Appearance**

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

Applicant: Andrew Barr
Variation: exception to policy and standard condition 22
Licence No.: TX169

Mr Barr, the applicant, joined the meeting by telephone call. After consideration of all matters before the Board, the Convener proposed that the application be granted and that Mr Barr be exempt from operating a vehicle which was wheelchair accessible and either custom built taxis such as FX4s or Metro Cabs or alternatively MPVs of a type approved by the Council.

DECIDED: That the application be granted and that Mr Barr be exempt from operating a vehicle which was wheelchair accessible and either custom built taxis such as FX4s or Metro Cabs or alternatively MPVs of a type approved by the Council.

5 **Grant of Private Hire Car Operators' Licences - Personal Appearance**

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

(a) Hazem Abdalghader

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) Mhd Eid Albashash

Mr Albashash, the applicant, joined the meeting by video call. 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) Shakeel Ahmed Ghafoor Begum

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 - Personal Appearances**

Under reference to item 5(b) and item 5(c) of the Minute of the meeting of this Board held on 16 November 2024, respectively, consideration was resumed of applications (b) and (e) for grant of Taxi Drivers' Licences and there were submitted applications (a), (c), (d) and (f) for grant of Taxi Drivers' Licences. Applicants (b) and (e) had been asked to appear personally for the second time and applicants (c), (d) and (f) had been asked to appear personally for the first time together with Police Scotland who had submitted representations to applications (d), (e) and (f):-

(a) Przemyslaw Andziul

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.

Adjournment

The meeting adjourned at 10.45 am and reconvened at 11.15 am.

(b) Sadegh Fathali Javin

Mr Javin, the applicant, joined the meeting by video call and advised that he wished to amend his application to apply for the grant of a Private Hire Car Driver's Licence. After consideration of all matters before the Board, the Convener proposed that the application, as amended, be granted for a period of one year. This was agreed unanimously.

DECIDED: That the application, as amended, be granted for a period of one year.

(c) Hussam Alhawamdah

The Senior Solicitor (Litigation & Regulatory Services) advised that this application had been withdrawn.

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

(d) Gerald Adams

There was no appearance by or on behalf of Mr Adams, the applicant. Sergeant Robertson joined the meeting by video call, on behalf of the Chief Constable who had submitted a representation to the application. The Senior Solicitor (Litigation & Regulatory Services) advised that Mr Adams had intimated that he was unwell and would not be attending the meeting and had requested that consideration of his application be continued to a future meeting of 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.

(e) Hasan Babelli

Mr Babelli, the applicant, joined the meeting by telephone call. Sergeant Robertson, remained in the meeting by video call 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 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.

(f) Mostafa Zamani

Mr Zamani, the applicant, joined the meeting by video call and advised that he wished to amend his application to apply for the grant of a Private Hire Car Driver's Licence. Sergeant Robertson, remained in the meeting by video call 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, as amended, be granted for a period of one year. This was agreed unanimously.

DECIDED: That the application, as amended, be granted for a period of one year.

Adjournment

The meeting adjourned at 12.20 pm and reconvened at 1.30 pm.

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Councillor McEwan was not in attendance when the meeting reconvened.

7 Grant of Private Hire Car Drivers' Licences - Personal Appearances

Under reference to item 7(h) of the Minute of the meeting of this Board held on 7 September 2024, consideration was resumed of application (a) for grant of a Private Hire Car Driver's Licence and there were submitted applications (b), (c), (d), (e) and (f) for grant of Private Hire Car Drivers' Licences. Applicant (a) had been asked to appear personally for the fourth time and applicants (b), (c) and (d) had been asked to appear personally for the first time together with Police Scotland who had submitted a representation received outwith the statutory timescale to application (a); an objection received outwith the statutory timescale together with a further letter in relation to that objection to application (b); an objection to application (c); and a representation to application (d):-

(a) Mohammad Akram

Mr Akram, the applicant, and Mr Hassan, his nephew, both joined the meeting by telephone call together with Sergeant Robertson, who joined the meeting by video call, 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 lateness of the representation, the Convener proposed that the representation be taken into account when the application was being considered. This was agreed unanimously.

After consideration of all matters before the Board, the Board adjourned to allow members to consider this application. The meeting was reconvened and the Convener proposed that the application be refused. This was agreed unanimously.

DECIDED: That the application be refused.

(b) Abid Shah

Mr Shah, the applicant, joined the meeting by video call. Sergeant Robertson, remained in the meeting by video call having not left following consideration of the previous item of business, on behalf of the Chief Constable who had submitted an objection received outwith the statutory timescale to the application together with a further letter in relation to that objection.

On hearing the reasons for the lateness of the objection, the Convener proposed that the objection be taken into account when the application was being considered. This was agreed unanimously.

The Senior Solicitor (Licensing) advised that the further letter, submitted along with the objection, contained details of matters which could only be considered if the interests of justice so required.

On hearing further from Police Scotland and from Mr Shah in response, the Convener proposed that the interests of justice required that this further letter also be considered. This was agreed unanimously.

After consideration of all matters before the Board, the Board adjourned to allow members to consider this application. The meeting was reconvened.

Councillor McNaughtan, seconded by Councillor Steel, moved that the application be granted for a period of one year.

Councillor Hughes, seconded by Councillor McDonald, moved as an amendment that the application be refused.

On the roll being called, the following members voted for the amendment: Councillors Audrey Doig, N Graham, Hughes, McDonald and Mullin.

The following members voted for the motion: Councillors McNaughtan and Steel.

5 members having voted for the amendment and 2 members having voted for the motion, the amendment was accordingly declared carried.

DECIDED: That the application be refused

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

(c) Sajjad Hussain

There was no appearance by or on behalf of Mr Hussain, the applicant. Sergeant Robertson, remained in the meeting by video call having not left following consideration of the previous item of business, on behalf of the Chief Constable who had submitted an objection to the application. As a preliminary matter, Sergeant Robertson requested

that consideration of this application be continued to a future meeting of 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.

Adjournment

The meeting adjourned at 3.20 pm and reconvened at 3.25 pm.

(d) Mohammad Shafi

There was no appearance by or on behalf of Mr Shafi, the applicant. Sergeant Robertson joined the meeting by video call, on behalf of the Chief Constable who had submitted a representation to the application. The Convener proposed that the application be considered in Mr Shafi's absence. 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) Gagan Singh

The Convener proposed that the application be granted until 16 October 2024. This was agreed unanimously.

DECIDED: That the application be granted until 16 October 2024.

(f) Faisal Muhammed

The Senior Solicitor (Litigation & Regulatory Services) advised that this application had been granted under delegated authority for a period of one year.

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

8 Renewal of Private Hire Car Drivers' Licences - Personal Appearances

There were submitted the undernoted applications for renewal 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 the applications:-

(a) Ahmad Jabbar

Mr Jabbar, the applicant, and his representative Mr Anwar both joined the meeting by video call together with Sergeant Robertson, who also joined the meeting by video call, 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 two years. This was agreed unanimously.

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

(b) Talal Chaudhry

Mr Chaudry, the applicant, joined the meeting by telephone call. Sergeant Robertson, remained in the meeting by video call 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 Board adjourned to allow members to consider this application. The meeting was reconvened and 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 year.