

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Thursday, 08 October 2015	10:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

PRESENT

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

CHAIR

Councillor Hood, Convener, presided.

APOLOGIES

Councillor M Brown, Provost Hall, and Councillors McEwan and Mullin.

IN ATTENDANCE

D Campbell, Assistant Managing Solicitor (Licensing); E Currie, Senior Committee Services Officer, K Whiteside, Paralegal Administrative Officer and G McIntosh, Civic Government Enforcement Officer (for items 1 to 4(b) only) (all Finance & Resources).

DECLARATIONS OF INTEREST

There were no declarations of interest intimated prior to 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 5(a) of the agenda after item 3(a) of the agenda and item 5(b) of the agenda after item 5(a) of the agenda.

EXCLUSION OF PRESS AND PUBLIC

The Board resolved that the press and public be excluded from the meeting during consideration of items 1, 2, 3, 4(a) and (b), 5, 6 and 9(a), (b) and (c) 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 DRIVER'S LICENCE - PERSONAL APPEARANCE

There was submitted the undernoted application for the grant 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:-

James Docherty, 4 Bargany Court, Crookston, Glasgow

The Assistant Managing Solicitor (Licensing) advised that Police Scotland had withdrawn their representation to the application and that the application had been granted under delegated authority for a period of one year.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.

2 GRANT OF PRIVATE HIRE CAR DRIVER'S LICENCE - PERSONAL APPEARANCE

There was submitted the undernoted application for the 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 an objection received outwith the statutory timescale to the application:-

Muhammad Zahid, 37 Priory Avenue, Paisley

Mr Zahid, the applicant, and his Solicitor, Mr Keane, were invited into the meeting together with Inspector Thomson, Sergeant Curran and Sergeant McLaren, on behalf of the Chief Constable who had submitted an objection received outwith the statutory timescale to the application.

On hearing the reason 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. 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.

3 **HEARING INTO POSSIBLE SUSPENSION OF PRIVATE HIRE CAR DRIVER'S LICENCE - PERSONAL APPEARANCE**

The Board considered the possible suspension of the undernoted Private Hire Car Driver's Licence. The licence holder had been asked to appear personally for the first time together with Police Scotland:-

Muhammad Riaz, Flat 3/3, 59 Neilston Road, Paisley

Mr Riaz, the licence holder, and his Solicitor, Mr Currie, were invited into the meeting together with Inspector Thomson, Sergeant Curran and Sergeant McLaren, on behalf of the Chief Constable.

After consideration of all matters before the Board, the Board adjourned to allow members to consider these matters. The meeting was reconvened and the Convener asked Mr Currie if he wished to address the Board on any penalties the Board might impose on his client's licence prior to any motions being made. Mr Currie then addressed the Board.

Following consideration of Mr Currie's submissions, the Convener proposed that Mr Riaz's Private Hire Car Driver's Licence be suspended for the unexpired portion of the duration of the licence with immediate effect. This was agreed unanimously.

DECIDED: That Mr Riaz's Private Hire Car Driver's Licence be suspended for the unexpired portion of the duration of the licence with immediate effect.

4 **GRANT OF LANDLORD REGISTRATIONS - PERSONAL APPEARANCES**

Under reference to item 9(f) of the Minute of the meeting of this Board held on 17 September, 2015 consideration was resumed of application (b) for the grant of Landlord Registration and there was submitted application (a) for the grant of Landlord Registration. Applicant (b) had been asked to appear for the second time and applicant (a) had been asked to appear personally for the first time together with Police Scotland in connection with the applications:-

(a) Pamela Wilson, 15 Argyle Gardens, Lennoxtown, Glasgow

There was no appearance by or on behalf of Ms Wilson. Inspector Thomson, Sergeant Curran and Sergeant McLaren, on behalf of the Chief Constable, were invited into the meeting. The Convener proposed that the application be considered in Ms Wilson's absence and this was agreed unanimously.

The Assistant Managing Solicitor (Licensing) advised that Police Scotland had withdrawn their representation to the application. The Convener proposed that the application be granted for a period of three years and this was agreed unanimously.

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

(b) Maurice Baxter, Flat 2/2, 14 John Neilson Avenue, Paisley

Mr Baxter, the applicant, was invited into the meeting together with Inspector Thomson, Sergeant Curran and Sergeant McLaren, on behalf of the Chief Constable. 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.

Mr Baxter undertook to advise the Licensing Section of any new address and also to update his online registration.

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

5 HEARING INTO POSSIBLE SUSPENSION OF PRIVATE HIRE CAR DRIVER'S LICENCE - PERSONAL APPEARANCE

The Board considered the possible suspension of the undernoted Private Hire Car Driver's Licence. The licence holder had been asked to appear personally for the first time together with Police Scotland:-

Thomas Haggarty, 54D Lang Avenue, Renfrew

There was no appearance by or on behalf of Mr Haggarty. Inspector Thomson, Sergeant Curran and Sergeant McLaren, on behalf of the Chief Constable, were invited into the meeting. The Convener proposed that consideration of the matter be considered in Mr Haggarty's absence and this was agreed unanimously. After consideration of all matters before the Board, the Convener proposed that Mr Haggarty's Private Hire Car Driver's Licence be suspended for the unexpired portion of the duration of the licence with immediate effect. This was agreed unanimously.

DECIDED: That Mr Haggarty's Private Hire Car Driver's Licence be suspended for the unexpired portion of the duration of the licence with immediate effect.

6 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:-

Thomas Robertson, 7 Manor Park Avenue, Paisley

The Assistant Managing Solicitor (Licensing) advised that Mr Robertson had intimated that he would be unable to attend the meeting and sought a continuation as his Solicitor was unable to attend and represent him.

The Convener proposed that consideration of the request be considered in Mr Robertson's absence and this was agreed unanimously. After consideration of all matters before the Board, the Convener proposed that Mr Robertson'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 Robertson's request for exemption from assisting wheelchair passengers be granted for the duration of his current Taxi Driver's Licence.

7 GRANT OF LANDLORD REGISTRATION - PERSONAL APPEARANCE

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

Leslie Gray, Farmfield House, West Kilbride

The Assistant Managing Solicitor (Licensing) advised that Mr Gray had intimated that he would be unable to attend the meeting and requested that consideration of his application be continued to a future 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.

8 RENEWAL OF LATE HOURS CATERING LICENCES

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

(a) Applicant: BP Express Shopping Limited, Chertsey Road, Sunbury on Thames, Middlesex

Authorised goods: general convenience

Trading from: Glasgow Airport Connect, Whitecart Road, Paisley

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

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: BP Express Shopping Limited, Chertsey Road, Sunbury on Thames, Middlesex

Authorised goods: general convenience

Trading from: BP Greenock Road Service Station, 10 Greenock Road, Paisley

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

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: Shell UK Oil Products Limited, Shell Centre, London
Authorised goods: refreshments and food
Trading from: Shell Erskine, Centreholm Roundabout, Erskine
Operating hours: 7 days per week – 11.00 pm to 5.00 am

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.

9 **SURRENDER AND RE-ISSUE OF TAXI LICENCES**

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

(a) Present Operator: Samuel Ferguson, 31 Taylor Avenue, Kilbarchan
Proposed Operator: Lee Hynd, 10C Barrmill Road, Beith
Licence No.: TX181

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

DECIDED: That the application be granted.

(b) Present Operator: William Mottram, 117 Sandy Road, Renfrew
Proposed Operator: Francis Patrick, 28 Whitehaugh Drive, Paisley
Licence No.: TX048

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

DECIDED: That the application be granted.

(c) Present Operator: John Lang, 4 Spiers Road, Lochwinnoch
Proposed Operator: Javeed Iqbal, 18 Foinhaven Drive, Thornliebank
Licence No.: TX130

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

DECIDED: That the application be granted.