

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Wednesday, 23 May 2018	10:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

Present

Councillor Eddie Devine, Councillor John McNaughtan, Councillor Kevin Montgomery, Councillor Emma Rodden, 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 N Barr, Administrative Assistant (all Finance & Resources).

Apologies

Provost Lorraine Cameron; Councillors Lisa-Marie Hughes; Cathy McEwan and Alistair Mackay.

Declarations of Interest

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

Additional Item

The Convener intimated that there was an additional item in relation to an application for Variation of a Taxi Operator's Licence 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 7 (d) of this Minute, was urgent in view of the need to determine the matter timeously authorised its consideration.

EXCLUSION OF PRESS AND PUBLIC

The Board resolved that the press and public be excluded from the meeting during consideration of items 1, 2(a), 2(b), 4(a) and 4(b) 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 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 second time together with Police Scotland who had submitted an objection and a second letter outwith the statutory timescale to the application: -

Richard Anthony Sargent, 54 Craigielea Road, Renfrew

There was no appearance on or on behalf of Mr Sargent. Sergeant Hay and Mr McLellan on behalf of the Chief Constable who had submitted an objection received outwith the statutory timescale to the application were invited into the meeting. The Convener proposed that the Board hear the matter in Mr Sargent's absence. This was agreed unanimously. 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 Sargent's absence and this was agreed unanimously.

The Assistant Managing Solicitor (Licensing) advised that a second letter dated 6 December 2017 had been received from Police Scotland which contained details of convictions which were spent (and 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.

2 Requests for Exemption from Assisting Wheelchair Passengers – Personal Appearances

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

(a) Kenneth Barnes, 10 Springfield Avenue, Ralston, Paisley.

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

(b) Christopher McMillan, 61 Second Avenue, Kingspark, Glasgow

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

3 Grant of a Skin Piercing and Tattooing Licence – Personal Appearance

There was submitted an application for the grant of a Skin Piercing and Tattooing Licence. The applicant had been asked to appear personally for the third time together with the Director of Environment & Communities who had submitted an objection to the application: -

Ellie Campbell, 41 Viking Crescent, Houston

There was no appearance by or on behalf Ms Campbell. Mr G Wands on behalf of the Director of Environment & Communities was invited into the meeting. The Convener proposed that the application be considered in Ms Campbell'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.

4 Grant of Landlord Registration – Personal Appearances

There were submitted the undernoted applications for the grant of Landlord Registrations. The applicants had been asked to appear personally for the first time:-

(a) Gurjit Lally, 27 McMillan Crescent, Beith

There was no appearance by or on behalf of Ms Lally. The Convener proposed that consideration of the application be continued to allow the applicant to appear in person. 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) Sophia Ahmed, 18 Fairfield Drive, Renfrew

Mr Ahmed, the applicant's father was invited into the meeting. After consideration of all matters before the Board, the Convener proposed that the application be continued to a future meeting. This was agreed unanimously.

DECIDED: That the application be continued to a future meeting.

5 Grant of Private Hire Car Operators' Licences - Personal Appearances

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

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

The Assistant Managing Solicitor (Licensing) advised that the applicant had requested that the matter be continued. The Convener proposed that the application be continued to allow the applicant to appear in person. 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) Greenlaw Garage Limited, 36 Back Sneddon Street, Paisley

The Assistant Managing Solicitor (Licensing) advised that the applicant had requested that the matter be continued. The Convener proposed that the application be continued to allow the applicant to appear in person. 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.

Declarations of Interest

Councillors Rodden and Steel declared an interest in the following applications as the applicant was known to them, left the meeting and took no part in any discussion and voting thereon.

6 Surrender and Re-issue of Taxi Operators' Licences – Personal Appearances

There were submitted the undernoted applications for the surrender and re-issue of Taxi Operators' Licences. The applicants had been asked to appear personally for the first time: -

(a) Present Operator: Charles Ballantyne, 1 John Lang Street, Johnstone
Proposed Operator: Charles and Janine Ballantyne t/a C and J Cabs, 1 John Lang Street, Johnstone
Licence No.: TX099

Charles and Janine Ballantyne were invited into the meeting together with Mr Banks, solicitor.

Mr Banks clarified that should the Board grant the application, the licence should be in the name of Charles and Janine Ballantyne t/a C & J Cabs.
After consideration of all matters before the Board, the Convener proposed that the application be granted. This was agreed unanimously.

DECIDED: That the application be granted.

(b) Present Operator: Charles Ballantyne, 1 John Lang Street, Johnstone
Proposed Operator: Charles and Janine Ballantyne, 1 John Lang Street, Johnstone
Licence No.: TX116

Charles and Janine Ballantyne were invited into the meeting together with Mr Banks, solicitor.

Mr Banks clarified that should the Board grant the application, the licence should be in the name of Charles and Janine Ballantyne t/a C & J Cabs.

After consideration of all matters before the Board, the Convener proposed that the application be granted. This was agreed unanimously.

DECIDED: That the application be granted.

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Councillors Rodden and Steel re-entered the meeting prior to the following item of business.

7 Variation of Taxi Operators' Licences

There were submitted the undernoted applications for variation of Taxi Operators' Licences: -

(a) Applicant: Paisley Cab Company
Licence No.: TX 228
Variation: To carry 8 passengers

The Convener proposed that the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Paisley Cab Company’s Taxi Licence and that the vehicle be licensed to carry 8 passengers. This was agreed unanimously.

DECIDED: That the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Paisley Cab Company’s Taxi Licence and that the vehicle be licensed to carry 8 passengers.

(b) Applicant: Paisley Cab Company
Licence No.: TX 229
Variation: To carry 8 passengers

The Convener proposed that the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Paisley Cab Company’s Taxi Licence and that the vehicle be licensed to carry 8 passengers. This was agreed unanimously.

DECIDED: That the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Paisley Cab Company’s Taxi Licence and that the vehicle be licensed to carry 8 passengers.

(c) Applicant: Paisley Cab Company
Licence No.: TX 226
Variation: To carry 8 passengers

The Convener proposed that the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Paisley Cab Company’s Taxi Licence and that the vehicle be licensed to carry 8 passengers. This was agreed unanimously.

DECIDED: That the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Paisley Cab Company’s Taxi Licence and that the vehicle be licensed to carry 8 passengers.

(d) Applicant: Paisley Cab Company
Licence No.: TX 227
Variation: To carry 8 passengers

The Convener proposed that the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Paisley Cab Company’s Taxi Licence and that the vehicle be licensed to carry 8 passengers. This was agreed unanimously.

DECIDED: That the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Paisley Cab Company’s Taxi Licence and that the vehicle be licensed to carry 8 passengers.

(e) Applicant: Paisley Cab Company
Licence No.: TX 231
Variation: To carry 8 passengers

The Convener proposed that the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Paisley Cab Company’s Taxi Licence and that the vehicle be licensed to carry 8 passengers. This was agreed unanimously.

DECIDED: That the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Paisley Cab Company’s Taxi Licence and that the vehicle be licensed to carry 8 passengers.

(f) Applicant: Paisley Cab Company
Licence No.: TX 232
Variation: To carry 8 passengers

The Convener proposed that the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Paisley Cab Company’s Taxi Licence and that the vehicle be licensed to carry 8 passengers. This was agreed unanimously.

DECIDED: That the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Paisley Cab Company’s Taxi Licence and that the vehicle be licensed to carry 8 passengers.

(g) Applicant: Paisley Cab Company
Licence No.: TX 234
Variation: To carry 8 passengers

The Convener proposed that the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Paisley Cab Company’s Taxi Licence and that the vehicle be licensed to carry 8 passengers. This was agreed unanimously.

DECIDED: That the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Paisley Cab Company’s Taxi Licence and that the vehicle be licensed to carry 8 passengers.

(h) Applicant: Paisley Cab Company
Licence No.: TX 233
Variation: To carry 8 passengers

The Convener proposed that the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Paisley Cab Company’s Taxi Licence and that the vehicle be licensed to carry 8 passengers. This was agreed unanimously.

DECIDED: That the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Paisley Cab Company’s Taxi Licence and that the vehicle be licensed to carry 8 passengers.

(i) Applicant: Paisley Cab Company
Licence No.: TX 230
Variation: To carry 8 passengers

The Convener proposed that the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Paisley Cab Company’s Taxi Licence and that the vehicle be licensed to carry 8 passengers. This was agreed unanimously.

DECIDED: That the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Paisley Cab Company’s Taxi Licence and that the vehicle be licensed to carry 8 passengers.

(j) Applicant: Paisley Cab Company
Licence No.: TX 225
Variation: To carry 8 passengers

The Convener proposed that the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Paisley Cab Company’s Taxi Licence and that the vehicle be licensed to carry 8 passengers. This was agreed unanimously.

DECIDED: That the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Paisley Cab Company’s Taxi Licence and that the vehicle be licensed to carry 8 passengers

8 Variation of Private Hire Car Operators’ Licences

There were submitted the undernoted applications for variation of Taxi Operators’ Licences: -

(a) Applicant: Renfrewshire Cab Company
Licence No.: PH 1001
Variation: To carry 8 passengers

The Convener proposed that the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Renfrewshire Cab Company’s Private Hire Car Licence and that the vehicle be licensed to carry 8 passengers. This was agreed unanimously.

DECIDED: That the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Paisley Cab Company’s Private Hire Car Licence and that the vehicle be licensed to carry 8 passengers.

(b) Applicant: William James Cormack t/a Tinto Radio Cars
Licence No.: PH 615
Variation: To carry 8 passengers

The Convener proposed that the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Mr McCormack’s Private Hire Car Licence and that the vehicle be licensed to carry 8 passengers. This was agreed unanimously.

DECIDED: That the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Mr McCormack’s Private Hire Car Licence and that the vehicle be licensed to carry 8 passengers.

(c) Applicant: Paul Gethins
Licence No.: PH 951
Variation: To carry 8 passengers

The Convener proposed that the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Mr Gethins’ Private Hire Car Licence and that the vehicle be licensed to carry 8 passengers. This was agreed unanimously.

DECIDED: That the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Mr Gethins’ Private Hire Car Licence and that the vehicle be licensed to carry 8 passengers.

(d) Applicant: Moloy Sarker
Licence No.: PH 691
Variation: To carry 8 passengers

The Convener proposed that the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Mr Sarker’s Private Hire Car Licence and that the vehicle be licensed to carry 8 passengers. This was agreed unanimously.

DECIDED: That the policy which stated that “the MPV shall carry a maximum of 7 passengers” be not applied to Mr Sarker’s Private Hire Car Licence and that the vehicle be licensed to carry 8 passengers.

9 Renewal of Late Hours Catering Licences

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

(a) Applicant: Morrisons Petrol Filling Station
Premises: 30 Napier Street, Johnstone
Operating Hours: Monday to Sunday – 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 be allowed to continue 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: Morrisons Petrol Filling Station
Premises: 16 Thread Street, Paisley
Operating Hours: Monday to Sunday – 11.00 pm to 5.00 am

The Convener proposed that the applicant be allowed to continue 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 be allowed to continue to be an exception to the Board’s policy on trading hours and that the application be granted for a period of two years.