

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Wednesday, 19 August 2015	10:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

PRESENT

Councillors B Brown, M Brown, E Devine, M Devine, Provost Hall, Councillors Hood and Mullin.

CONVENER

Councillor Hood, Convener, presided.

APOLOGIES

Councillors McEwan and Mylet.

IN ATTENDANCE

M Conaghan, Legal & Democratic Services Manager (for items 5- 8) D Campbell, Assistant Managing Solicitor (Licensing); P Shiach, Committee Services Officer and K Whiteside, Licensing Officer (Paralegal) (all Finance & Resources).

DECLARATIONS OF INTEREST

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

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.

1 GRANT OF PRIVATE HIRE CAR DRIVERS' LICENCES- PERSONAL APPEARANCES

There were submitted the undernoted applications for the grant of a Private Hire Car Driver's Licence. The applicants had been asked to appear personally for the second time in relation to items (a) and (b), and for the first time in relation to items (c) to (g) together with Police Scotland who had submitted an objection received outwith the statutory timescale to the applications at items (a) and (e) and a representation outwith the statutory timescale to application (b); and objections in relation to items (c) and (f), and representations in relation to applications (d) and (g) :-

(a) Brian Millar, 13 Dundonald Road, Gallowhill, Paisley

Under reference to item 5 (a) of the Minute of the meeting of the Board held on 27 May 2015 the Board resumed consideration of an application (a) for the grant of a Private Hire Car Driver's Licence.

Mr Millar, the applicant, was invited into the meeting together with Sergeant Curran and Constable McLeod, on behalf of the Chief Constable who had submitted an objection received outwith the statutory timescale to the application. 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.

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 one year. This was agreed unanimously.

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

(b) Glen Manson, 5 Provost Driver Court, Renfrew.

Under reference to item 5 (b) of the Minute of the meeting of the Board held on 27 May 2015 the Board resumed consideration of an application (b) for the grant of a Private Hire Car Driver's Licence.

There was no appearance by or on behalf of Mr Manson. Sergeant Curran and Constable McLeod, on behalf of the Chief Constable who had submitted a representation received outwith the statutory timescale to the application, were invited into the meeting. 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. The Convener proposed that the application be considered in Mr Manson'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.

(c) Faheem Asif, 25 Tweedsmuir Road, Glasgow

Mr Asif, the applicant, his father and Mr Kasusula, trainee solicitor, were invited into the meeting together with Sergeant Curran and Constable McLeod on behalf of the Chief Constable who had submitted an objection 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 refused. This was agreed unanimously.

DECIDED: That the application be refused.

(d) Stuart Drummond, 30 Mull Avenue, Paisley

Mr Drummond, the applicant, was invited into the meeting together with Sergeant Curran and Constable McLeod, 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.

(e) Gary Millar, 89 Candren Road, Paisley.

Mr Millar, the applicant, was invited into the meeting together with Sergeant Curran and Constable McLeod, on behalf of the Chief Constable who had submitted an objection received outwith the statutory timescale to the application. 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.

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 one year. This was agreed unanimously.

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

(f) Muhammed Yaseen, 1/1, 3 North Gower Street, Glasgow.

Mr Muhammad, the applicant, Mr Tanveer, Mr Rehman and Mr McKinnon, solicitor, were invited into the meeting together with Sergeant Curran and Constable MacLeod on behalf of the Chief Constable who had submitted an objection 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 refused. This was agreed unanimously.

DECIDED: That the application be refused.

(g) Mohammed Younis, Flat 0/2, 24 Leven Street, Glasgow

Mr Younis, the applicant and his son were invited into the meeting together with Sergeant Curran and Constable McLeod, 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.

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

There was submitted the undernoted application for the 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:

James Henderson Collins, 38 Ettrick Terrace, Johnstone.

Mr Collins, the applicant and Mr McKinnon, solicitor, were invited into the meeting together with Sergeant Curran and Constable McLeod, 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.

3 GRANT OF A TAXI DRIVER'S LICENCE - PERSONAL APPEARANCE

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

Tahseen Saleem, 5 Corran Avenue, Newton Mearns.

There was no appearance by or on behalf of Mr Saleem. The Convener proposed that the application be considered in Mr Saleem'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 RENEWAL OF A TAXI DRIVER'S LICENCE - T1085 - PERSONAL APPEARANCE

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

James Fleming, 117 Ravenscroft Drive, Priesthill, Glasgow.

Mr Fleming, the applicant was invited into the meeting together with Sergeant Curran and Constable McLeod, 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.

ADJOURNMENT

The meeting adjourned at 1.35 pm and reconvened at 2.00 pm.

SEDERUNT

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

5 RENEWAL OF A TAXI OPERATOR'S LICENCE TX205 - PERSONAL APPEARANCE

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

Stephen Heron, 21 Armour Street, Johnstone.

Mr Heron, 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 two years. This was agreed unanimously.

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

6 DECLARATION OF INTEREST

Prior to consideration of the following item of business, Councillors E Devine and M Devine declared a non-pecuniary interest, left the meeting and did not take part in any discussion or voting thereon.

7 HEARING INTO POSSIBLE SUSPENSION OF PRIVATE HIRE CAR DRIVER'S LICENCE P6220 - 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.

Craig Fleming, 17 Newark Drive, Paisley

Mr Fleming, the licence holder, was invited into the meeting together with Sergeant Curran and Constable MacLeod on behalf of the Chief Constable who had requested that the Board consider suspension of Private Hire Car Driver's Licence P6220. After consideration of all matters before the Board, the Board adjourned to allow members to consider this matter.

The meeting was reconvened and the Convener proposed that no action on the possible suspension be taken at this time. This was agreed unanimously.

DECIDED: That no action be taken on the possible suspension of Private Hire Car Driver's Licence P6220 at this time.

SEDERUNT

Prior to consideration of the following item of business, Councillors E Devine and M Devine re-entered the meeting.

8 IMMEDIATE SUSPENSION AND HEARING INTO POSSIBLE SUSPENSION OF PRIVATE HIRE CAR DRIVER'S LICENCE P0163 AND HEARING INTO POSSIBLE SUSPENSION OF PRIVATE HIRE CAR LICENCE PH0910 - PERSONAL APPEARANCE

The Board considered the possible suspension of the undernoted Private Hire Car Driver's Licence and Private Hire Car Licence. The Licence holder had been asked to appear personally for the first time together with Police Scotland and Michelle McGettrick who had submitted a complaint against him:

Lovemore Chirwa, 146B Paisley Road, Renfrew.

Mr Chirwa, the licence holder, was invited into the meeting together with Sergeant Curran and Constable MacLeod on behalf of the Chief Constable who had requested that the Board consider suspension of Private Hire Car Driver's Licence P0163 and Private Hire Car Licence PH0910; and Michelle McGettrick. Mrs McGettrick left the meeting during submissions relating to the complaint from Police Scotland and returned thereafter. After consideration of all matters before the Board, the Board adjourned to allow members to consider this matter.

The meeting was reconvened and the Convener proposed that Private Hire Car Driver's Licence P0163 be suspended with immediate effect for the duration of the Licence, and that Private Hire Car Licence PH0910 be suspended with immediate effect for the duration of the Licence. This was agreed unanimously.

DECIDED: The Board agreed:

1) That Private Hire Car Driver's Licence P0163 be suspended with immediate effect for the duration of the Licence; and

2) That Private Hire Car Licence PH0910 be suspended with immediate effect for the duration of the Licence.

9 RENEWAL 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:

Jonah George Ditton, Ditton Holdings, Top Floor, Gordon Chambers, 90 Mitchell Street, Glasgow.

There was no appearance by or on behalf of Mr Ditton. Sergeant Curran and Constable McLeod, on behalf of the Chief Constable who had submitted a representation to the application were invited into the meeting. The Assistant Managing Solicitor (Licensing) advised that a request to continue the application had been received. The Convener proposed that consideration of the application be continued for the applicant to attend personally at a future meeting of the Board. This was agreed unanimously.

DECIDED: That consideration of the application be continued for the applicant to attend personally at a future meeting of the Board.

10 **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:

Allan Hassan, 12 Greenwood Drive, Johnstone.

Mr Hassan, the applicant, was invited into the meeting together with Sergeant Curran and Constable McLeod, 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 three years. This was agreed unanimously.

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

11 **SURRENDER AND RE-ISSUE OF A TAXI OPERATORS' LICENCES**

There were submitted the undernoted applications for the surrender and re-issue of Taxi Operators' Licences.

(a) PRESENT OPERATOR .

Susan Curren Smith

PROPOSED OPERATOR

Susan Curren Smith

Executor for Iain Smith

10 Ravenswood Avenue Paisley

Paisley

LICENCE NO

TX026

Mrs Smith was invited into the meeting. The Convener proposed that the application be granted and this was agreed unanimously.

DECIDED: That the application be granted.

(b) PRESENT OPERATOR .

Catherine Foley Hynd

PROPOSED OPERATOR

Catherine Foley Hynd

Executor for Robert Hynd

10c Barrmill Road Beith

Beith.

LICENCE NO

TX167

Mrs Hynd was invited into the meeting. The Convener proposed that the application be granted and this was agreed unanimously.

DECIDED: That the application be granted.

(c) **PRESENT OPERATOR**

John Graham Galbraith
7 Melrose Avenue
Paisley

PROPOSED OPERATOR

Haichlo Limited
16 Redhurst Crescent
Paisley

LICENCE NO.

TX72

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

DECIDED: That the application be granted.