

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Wednesday, 19 January 2022	10:00	Remotely by MS Teams ,

Present: Councillor Eddie Devine, Councillor Audrey Doig, Councillor Lisa-Marie Hughes, Councillor Alistair Mackay, Councillor Cathy McEwan, Councillor John McNaughtan, Councillor Emma Rodden, Councillor Jane Strang

Chair

Councillor McNaughtan, Convener, presided.

In Attendance

D Campbell, Assistant Managing Solicitor (Licensing), R Graham, Senior Solicitor (Litigation & Advice), E Gray and P Shiach, Senior Committee Services Officers, D Pole, End User Technician, A Easdon, Team Leader (Licensing), K Marriott, Administrative Assistant (for item 9 only) and R McCallum, Administrative 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.

Apologies

Councillors Montgomery and Steel.

Declarations of Interest

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

1 **Civic Government (Scotland) Act 1982: Review of Taxi Fares within Renfrewshire**

Under reference to item 3 of the Minute of the meeting of this Board held on 11 November 2021, there was submitted a report by the Acting Director of Finance & Resources relative to a review of taxi fares within Renfrewshire.

The report advised that at that meeting the Board agreed, after considering responses to an initial consultation, to advertise a proposal to fix a new fare scale. The agreed proposal involved: increasing the Glasgow Airport pick up and drop off charge from the current figure of £2 to a £4 charge; an increased charge of £1.60 (currently 60p) between midnight and 5.00 am on Sunday to Thursday nights; and an increased charge of £2.00 (currently £1.00) between midnight and 5.00 am on Friday and Saturday nights. The Board agreed that the proposed scale would be advertised, allowing representations to be made within one month.

The Board had previously agreed the proposed fare scale come into effect from 21 March 2022. The Board also agreed that a report would be submitted to a future meeting of the Board to allow a taxi fare scale to be fixed.

The report intimated that an advertisement detailing the proposal was advertised in the press on 25 November 2021 and provided that any person wishing to make representations on the proposal must do so in writing no later than 30 December 2021. The advertised proposal was attached at Appendix 1 to the report. The procedure followed was set out in Section 17 of the Civic Government (Scotland) Act 1982, as amended ("the Act").

The report intimated that in response to the advertisement, no further representations had been received. and that the Board now required to fix a taxi fare scale for Renfrewshire. The Board was also required, under the Act, to determine a date for the scale to come into effect. It was recommended that the revised scale come into effect on 21 March 2022, as previously proposed by the Board.

DECIDED:

(a) That a new fares scale for Renfrewshire, in accordance with paragraph 1.2 of the report and the advertised proposal at Appendix 1 be approved;

(b) That it be agreed that the revised fares scale come into effect on 21 March 2022;

(c) That it be agreed that thereafter, officers be authorised to give notice to (i) all operators of taxis operating in Renfrewshire and (ii) the persons and organisations appearing to the Board to be representative of the operators of taxis operating within Renfrewshire (being the parties initially consulted) of the fares scale fixed and its effect, the date on which it is to come into effect and the rights of appeal against the scale, all as set out in Section 17 of the Act, as amended; and

(d) That officers be authorised to publish the fares scale, as soon as practicable following expiry of the period for appeal to the Traffic Commissioner (or, if appealed, as soon as practicable after determination of the appeal), by giving notice of the scales in an advertisement in a newspaper circulating in Renfrewshire and to specify therein that the scales shall come into effect on 21 March 2022.

2 **Surrender and Re-issue of Taxi Licences**

There were submitted the undernoted applications for surrender and re-issue of Taxi Licences. Applicant (a) had been asked to appear personally for the first time:-

(a) Present Operator: Wilma Anderson
Proposed Operator: Jason Belk
Licence No.: TX057

There was no appearance by or on behalf of Mrs Anderson, the applicant, who had previously indicated that she wished her application to be determined by way of written submissions. 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: Francis Patrick
Proposed Operator: Zahid Mahmood Younis
Licence No.: TX048

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

DECIDED: That the application be granted.

(c) Present Operator: Joseph Healey
Proposed Operator: Ahmed Younis
Licence No.: TX142

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

DECIDED: That the application be granted.

(d) Present Operator: Alistair Blair
Proposed Operator: Aadil Bashir
Licence No.: TX211

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

DECIDED: That the application be granted.

(e) Present Operator: Dugald Russell
Proposed Operator: Michal Czuma
Licence No.: TX017

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

DECIDED: That the application be granted.

(f) Present Operator: Dugald Russell
Proposed Operator: Gordon Russell
Licence No.: TX011

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

DECIDED: That the application be granted.

(g) Present Operator: Partnership of J&T Taxis
Proposed Operator: Faraz Mahmood
Licence No.: TX199

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

DECIDED: That the application be granted.

3 **Variation of Taxi Licences - Personal Appearances**

There were submitted the undernoted applications for surrender and re-issue of Taxi Licences. Applicant (a) had been asked to appear personally for the first time:-

(a) Present Operator: Wilma Anderson
Proposed Operator: Jason Belk
Licence No.: TX057

There was no appearance by or on behalf of Mrs Anderson, the applicant, who had previously indicated that she wished her application to be determined by way of written submissions. 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: Francis Patrick
Proposed Operator: Zahid Mahmood Younis
Licence No.: TX048

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

DECIDED: That the application be granted.

(c) Present Operator: Joseph Healey
Proposed Operator: Ahmed Younis
Licence No.: TX142

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

DECIDED: That the application be granted.

(d) Present Operator: Alistair Blair
Proposed Operator: Aadil Bashir
Licence No.: TX211

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

DECIDED: That the application be granted.

(e) Present Operator: Dugald Russell
Proposed Operator: Michal Czuma
Licence No.: TX017

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

DECIDED: That the application be granted.

(f) Present Operator: Dugald Russell
Proposed Operator: Gordon Russell
Licence No.: TX011

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

DECIDED: That the application be granted.

(g) Present Operator: Partnership of J&T Taxis
Proposed Operator: Faraz Mahmood
Licence No.: TX199

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

DECIDED: That the application be granted.

4 **Variation of Private Hire Car Operators' Licences – Personal Appearances**

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

(a) Applicant: Stuart Crichton
Variation: exception to policy and standard condition 1
Licence No.: PH1465

Mr Crichton, the applicant, joined the meeting by telephone call. After consideration of all matters before the Board, the Convener proposed that Mr Crichton's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Crichton to operate his present vehicle, registration number SG64 VXJ, for a period of one year from 11 December 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 19 January 2022. This was agreed unanimously.

DECIDED: That Mr Crichton's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Crichton to operate his present vehicle, registration number SG64 VXJ, for a period of one year from 11 December 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 19 January 2022.

(b) Applicant: Lukasz Kalmuk

Variation: exception to policy and standard condition 1

Licence No.: PH0778

There was no appearance by or on behalf of Mr Kalmuk, the applicant. The Senior Solicitor, (Litigation & Advice) advised that the application had been withdrawn.

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

Adjournment

The meeting adjourned at 12.00pm and reconvened at 1.30 pm.

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 are present, there could be disclosure to them of exempt information as defined in paragraph 1 of Part I of Schedule 7A of the Local Government (Scotland) Act, 1973.

5 Grant of Late Hours Catering Licence – Personal Appearance

There was submitted the undernoted application for renewal of a Late Hours Catering Licence. The applicant had been asked to appear personally for the first time:-

Applicant: Ramesh Hans

Premises: Raja Tandoori, 57 Old Sneddon Street, Paisley Authorised activity: Hot food takeaway

Operating hours: Sunday to Thursday – 11.00 pm to 12 midnight and Friday and Saturday – 11.00 pm to 1.00 am.

Mr Hans, 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.

6 **Grant of Private Hire Car Drivers' Licences – Personal Appearances**

There were submitted the undernoted applications for grant of Private Hire Car Drivers' Licences. Applicant (a) had been asked to appear personally for the second time and applicants (b) and (c) had been asked to appear personally for the first time together with Police Scotland who had submitted an objection in relation to application (c) :-

(a) Wajid Ali

Mr Ali, 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.

(b) Bartosz Batkowski

Mr Batkowski, 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) Steven McLachlan

There was no appearance by or on behalf of Mr McLachlan, the applicant. Sergeant Robertson joined the meeting by video call, on behalf of the Chief Constable who had submitted an objection to the application. 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.

7 **Renewal of a Private Hire Car Driver Licence – P0359 – Personal Appearance**

There was submitted the undernoted application for renewal of a Private Hire Car Driver's Licence. The applicant had been asked to appear for the first time together with Police Scotland who had submitted an objection received outwith the statutory timescale to the application:-

Stephen Hastie.

Mr Hastie, the applicant, joined the meeting by video call together with Sergeant Robertson, who also joined by video call, 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 lateness of the objection it was decided that the objection would 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 two years. This was agreed unanimously.

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

8 **Renewal of a Taxi Driver's licence T1839**

There was submitted the undernoted application for renewal of a Taxi Driver's Licence. The applicant had been asked to appear for the first time together with Police Scotland who had submitted a representation to the application:-

Alan McKinstry

Mr McKinstry, the applicant, 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 to the application.

Mr McKinstry requested that consideration of his application be continued to a future meeting for personal reasons. The Convener proposed that the Board adjourn to consider the request. This was agreed unanimously.

The Board adjourned to allow members to consider this matter. The meeting was reconvened and the Convener proposed that Mr McKinstry's application be heard at this time. This was agreed unanimously. 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 3.13.pm and reconvene at 3.20 pm.

9 **Grant of House in Multiple Occupation Licence - Personal Appearance**

There was submitted the undernoted application for grant of a House in Multiple Occupation Licence. The applicant had been asked to appear personally for the first time together with the Director of Communities & Housing Services, Renfrewshire Council:-

Applicant: Baggy Pocket Limited
Property: Flat 2/2, 2 Walker Street, Paisley

There was no appearance by Baggypocket Limited, the applicant. Ms Lockhart, the applicant's agent, joined the meeting by telephone call together with Ms McEwan and Mr Anderson, who both joined by video call, representing the Director of Communities & Housing Services, Renfrewshire Council. 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 consideration of the application be continued to a future meeting to allow outstanding work and an inspection to be undertaken. This was agreed unanimously.

DECIDED: That consideration of the application be continued to allow outstanding work and an inspection to be undertaken and that the applicant be invited to a future meeting of the Board.