

Notice of Meeting and Agenda Regulatory Functions Board

Date	Time	Venue
Thursday, 03 February 2022	10:00	Remotely by MS Teams ,

KENNETH GRAHAM
Head of Corporate Governance

Membership

Councillor Eddie Devine: Councillor Audrey Doig: Councillor Lisa-Marie Hughes: Councillor Alistair Mackay: Councillor Cathy McEwan: Councillor Kevin Montgomery: Councillor Andy Steel: Councillor Jane Strang:

Councillor John McNaughtan (Convener): Councillor Emma Rodden (Depute Convener):

Recording of Meeting

This meeting will be recorded for subsequent broadcast via the Council's internet site. If you have any queries regarding this please contact Committee Services on 0141 618 7111.

To find the recording please follow the link which will be attached to this agenda once the meeting has concluded.

<https://youtu.be/dbDU0TZj6aM>

Items of business

Apologies

Apologies from members.

Declarations of Interest

Members are asked to declare an interest in any item(s) on the agenda and to provide a brief explanation of the nature of the interest.

1 Registration of Private Landlords: Applications Refused under Delegated Authority **7 - 10**

Report by Acting Director of Finance & Resources.

2 Variation of Private Hire Car Operators' Licences - Personal Appearances

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

(a) Applicant: Mervyn Epsworth

Variation: exception to policy and standard condition 1
Licence No.: PH0638

(b) Applicant: David Myles

Variation: exception to policy and standard condition 1
Licence No.: PH0612

(c) Applicant: Alan Stewart

Variation: exception to policy and standard condition 1
Licence No.: PH0578

(d) Applicant: Paul Johnstone

Variation: exception to policy and standard condition 1
Licence No.: PH1300

(e) Applicant: Andrzej Wolszczak

Variation: exception to policy and standard condition 1
Licence No.: PH0722

(f) Applicant: Charles Duffin

Variation: exception to policy and standard condition 1
Licence No.: PH1151

(g) Applicant: Simon Reid

Variation: exception to policy and standard condition 1
Licence No.: PH1381

3 Variation of Taxi Operator's Licence - Personal

Appearance

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

Applicant: Dermot Curran

Variation: exception to policy and standard condition 22

Licence No.: TX063

4 Renewal of Late Hours Catering Licence

Submit the undernoted application for renewal of a Late Hours Catering Licence:-

Applicant: Shell UK Oil Products Limited

Premises: Shell Hillington, Hillington Industrial Estate, Glasgow

Activity: convenience store located on petrol forecourt

Operating hours: Monday to Sunday – 11.00 pm to 5.00 am

Licence No.: LHC025

5 Notification of Public Procession - Personal Appearance

Submit the undernoted notification of a Public Procession. The applicant has been asked to appear personally for the first time together with Police Scotland who has submitted a report in relation to the notification and the Council's Senior Events Officer who has submitted information in relation to the notification:-

Applicant: All Under One Banner

Public procession route: Ferguslie Gardens, Ferguslie Walk, Broomlands Street, Wellmeadow Street, High Street, Gauze Street, Glasgow Road and Barshaw Park, Paisley

Reason for procession: Scottish Independence

Date and time: 5 March 2022 at 12.30 pm

EXCLUSION OF PRESS AND PUBLIC

The Board may by resolution exclude the press and public from the meeting during consideration of the following items of business as it is 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 3 of Part I of Schedule 7A of the Local Government (Scotland) Act 1973.

6 Grant of Private Hire Car Drivers' Licences - Personal

Appearances

Submit the undernoted applications for grant of Private Hire Car Drivers' Licences. The applicants have been asked to appear personally for the first time:-

- (a) Binoy Paul
- (b) Kandiah Jeyavinthan

7 Renewal of Private Hire Car Driver's Licence - Personal

Appearance

Submit the undernoted application for renewal of a Private Hire Car Driver's Licence. The applicant has been asked to appear personally for the first time together with Police Scotland who has submitted a representation to the application:-

Gerald Burns P4493

8 Renewal of Taxi Driver's Licence - Personal Appearance

Submit the undernoted application for renewal of a Taxi Driver's Licence. The applicant has been asked to appear personally for the first time together with Police Scotland who has submitted an objection to the application:-

Charles McMahon T1567

9 Application for Exemption from Drivers' Duties under Section 165 of the Equality Act 2010 - Personal

Appearance

Submit the undernoted application for exemption from drivers' duties under Section 165 of the Equality Act 2010. The applicant has been asked to appear personally for the first time:-

Sajid Mahmood T0145

10 Grant of Taxi Operators' Licences - Personal

Appearances

Submit the undernoted applications for grant of Taxi Operators' Licences. The applicants have been asked to appear personally for the first time:-

- (a) Solaiman Chowdhury
- (b) Moley Sarkar

11 Grant of Landlord Registration - Personal Appearance

Submit the undernoted application for grant of Landlord Registration. The applicant has been asked to appear personally for the first time together with Police Scotland:-

Scott McGaw

Adjournment

The meeting will adjourn following consideration of item 12 and reconvene at 2.00 pm.

12 Grant of House in Multiple Occupation Licence - Personal Appearance

Resume consideration of the undernoted application for grant of a House in Multiple Occupation Licence. The applicant has been asked to appear personally for the second time together with the Director of Communities & Housing, Renfrewshire Council:-

Applicant: Baggypocket Limited
Property: Flat 2/2, 2 Walker Street, Paisley



To: Regulatory Functions Board

On: 3 February 2022

Report by: Acting Director of Finance and Resources

Heading: **Registration of Private Landlords: Applications refused under Delegated Authority**

1. Summary

- 1.1 The purpose of this report is to provide an update to the Board in relation to applications for landlord registration refused under powers delegated to officers following the meeting of the Board on 18th August 2021.
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2. Recommendations

- 2.1 It is recommended that the Board note the contents of the report.
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3. Background

- 3.1 On 18th August 2021, the Board considered a report by the Director of Finance and Resources relative to outstanding applications for private landlord registration where landlords had not confirmed their compliance with regulatory requirements set out in regulations made under the terms of the Antisocial Behaviour etc. (Scotland) Act 2004 ("the 2004 Act"). The report set out options to facilitate determination of these applications.
- 3.2 The Board agreed that it be recommended that the Scheme of Delegated Functions be amended to include a delegation to officers to refuse applications for landlord registration where the requirements set out in

regulations made under the 2004 Act, and detailed at Paragraph 3.3 of the report considered at the above meeting, are not met, subject to regular reports being submitted to the Board detailing the applications refused. This delegation subsequently came into effect after the meeting of Council on 30th September 2021, when the Minute of the Board's meeting of 18th August 2021 was approved.

- 3.3 In the report of 18th August 2021, officers indicated that it was anticipated that any power delegated to officers would not be used until two communications had been issued to applicants allowing them an opportunity to demonstrate their compliance. Accordingly, following the delegation coming into effect, officers issued two separate letters to 70 non-compliant landlords, allowing them periods of 28 days and, thereafter, a further 14 days to confirm their compliance.
- 3.4 The majority of these landlords were able to confirm compliance within the above periods, allowing their applications for landlord registration to be granted. However, a number of landlords failed to respond positively to the correspondence. As a result, their applications were considered for refusal.
- 3.5 Following the issue of the above letters, 14 applications for landlord registration were refused by officers, due to landlords' failure to confirm full compliance with their legal responsibilities. Eight of these applications were by landlords seeking registration for the first time, with the remainder applying to "renew" a previous landlord registration. The Board may wish to note that, since refusal, some of the above landlords have addressed their previous outstanding compliance issues and have now reapplied for registration.
- 3.6 The Board is asked to note the terms of the report. Further updates will be provided at future meetings of the Board.

Implications of the Report

- 1. **Financial – Nil**
- 2. **HR & Organisational Development – Nil**
- 3. **Community Planning – Nil**

4. **Legal** – as detailed in the report
5. **Property/Assets** – Nil
6. **Information Technology** – Nil
7. **Equality & Human Rights** -

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report, as the report only provides the Board with an update on refused applications for landlord registration as previously requested by the Board.

8. **Health & Safety** - Nil
9. **Procurement** – Nil
10. **Risk** - Nil
11. **Privacy Impact** - Nil
12. **Cosla Policy Position** – Nil
13. **Climate Emergency** – Nil

List of Background Papers- None.

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