

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Wednesday, 20 January 2016	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, and Councillors Hood, McQuade and Mullin.

CHAIR

Councillor Hood, Convener, presided.

IN ATTENDANCE

D Campbell, Assistant Managing Solicitor (Licensing); P Shiach, Committee Services Officer, K Whiteside, Licensing Officer (Paralegal) and G McIntosh, Civic Government Enforcement Officer (for item 9 only) (all Finance & Resources).

APOLOGIES

Councillor McEwan.

DECLARATIONS OF INTEREST

Councillors E Devine and M Devine declared a non-financial interest in relation to item 2 of the agenda as one of the objectors was known to them and indicated their intention to leave the meeting during consideration of the item and not to take part in any discussion or voting thereon.

1 GRANT OF A PRIVATE HIRE CAR DRIVER'S LICENCE

There was submitted the undernoted application for the grant of a Private Hire Car Driver's Licence:-

Abid Mirza, 9 Ardgowan Street, Paisley

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.

DECLARATIONS OF INTEREST

Councillors E Devine and M Devine having declared an interest in the following item of business left the meeting and did not take part in any discussion or voting thereon.

2 GRANT OF A HOUSE IN MULTIPLE OCCUPATION LICENCE

There was submitted the undernoted application for the grant of a House in Multiple Occupation Licence. The applicant had been asked to appear personally for the first time:-

Applicant: David John Bell, 5 Hurllehill Court, Glasgow
Premises: Flat 2/1, 55 Underwood Road, Paisley

Mr Bell, the applicant, was invited into the meeting together with Mr D Smith and Ms K Johnstone who had submitted representations in relation to the application.

In terms of preliminary matters, the Assistant Managing Solicitor (Licensing) advised that a further two letters of representation from Ms M McNicol and Ms J McDonald had been received outside the statutory timescale for representations to the application. Neither of these parties was present, however Ms McNicol had further submitted a request that her representation be considered by the Board as her letter of representation had been received late as explained in the request.

The Convener proposed that the representation submitted by Ms McDonald be not considered and this was agreed unanimously.

The Convener then proposed that the Board adjourn to consider the remaining preliminary matters. This was agreed unanimously.

The Board reconvened and the Convener proposed that the preliminary issue in relation to the display of the site notice be determined in Mr Bell's favour. This was agreed unanimously. The Convener also proposed that the representation submitted by Ms McNicol outwith the statutory timescale for representations to the application be considered by the Board. This was agreed unanimously.

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 three years. This was agreed unanimously.

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

SEDERUNT

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

3 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: -

Claire Reilly, 31 Langhaul Road, Crookston, Glasgow

Mrs Reilly, the applicant, and her husband Mr Reilly were invited into the meeting. 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.

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.

4 HEARING INTO POSSIBLE REMOVAL FROM THE REGISTER OF PRIVATE LANDLORDS - PERSONAL APPEARANCE

The Board considered the possible removal of the undernoted Landlord from the Register of Private Landlords. The licence holder had been asked to appear personally for the first time: -

David MacLean, Flat 2/1, 73 Causeyside Street, Paisley

The Assistant Managing Solicitor (Licensing) advised that Mr MacLean had withdrawn his application.

DECIDED: That it be noted that Mr MacLean had withdrawn his application.

5 SKIN PIERCING AND TATTOOING LICENCE - PERSONAL APPEARANCE

There was submitted the undernoted application for the grant of a Skin Piercing and Tattooing Licence. The applicant had been asked to appear personally for the first time together with Police Scotland who had submitted an objection to the application:-

Mowhawk Tattoo Studio, 9 Old Sneddon Street, Paisley

Mr Lazar, Director of Mowhawk Tattooing Studio and Mr Robertson, Solicitor were invited into the meeting together with Inspector Harvey, Sergeant Curran and Constable McEwan on behalf of the Chief Constable who had submitted an objection to the application.

Mr Robertson requested that the Board consider additional material in respect of the application which had not been submitted with the Board papers. The Convener proposed that the Board adjourn to allow members to consider this matter. This was agreed unanimously.

The Board reconvened and the Convener proposed that consideration of the application be continued and that the applicant be invited to a future meeting of the Board and that any additional material that the applicant wished to be considered should be submitted timeously. This was agreed unanimously.

DECIDED:

(a) That consideration of the application be continued and that the applicant be invited to a future meeting of the Board; and

(b) That any material the applicant wished to be considered be submitted timeously.

SEDERUNT

Councillor M Brown left the meeting at this point.

6 GRANT OF A 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:-

Scott Robert Young, Flat 1/1, 15 Dunn Street, Paisley

Mr Young, 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 one year. This was agreed unanimously.

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

7 HEARING INTO THE POSSIBLE SUSPENSION OF A TAXI DRIVERS LICENCE T1073 - PERSONAL APPEARANCE

The Board considered the possible suspension of the undernoted Taxi Driver's Licence. The licence holder had been asked to appear personally for the first time:-

James Cumming, Flat 2/2, 21 Bowfield Avenue, Glasgow

There was no appearance by or on behalf of Mr Cumming. The Convener proposed that consideration of the possible suspension of Mr Cumming's Taxi Driver's Licence be continued and that the licence holder be invited to a future meeting of the Board. This was agreed unanimously.

DECIDED: That consideration of the possible suspension of Mr Cumming's Taxi Driver's Licence T1073 be continued and that the licence holder be invited to a future meeting of the Board.

8 HEARING INTO THE POSSIBLE SUSPENSION OF A PRIVATE HIRE CAR DRIVER'S LICENCE P4262 - PERSONAL APPEARANCE

The Board considered the possible suspension of the undernoted Private Hire Car Driver's Licence P4262. The licence holder had been asked to appear personally for the first time:-

Christopher Paterson, 75 Glenpark Road, Lochwinnoch

Mr Paterson, the licence holder, was invited into the meeting. After consideration of all matters before the Board, including an undertaking from Mr Paterson that he would not drive until he had passed an exercise tolerance test, the Convener proposed that the licence be not suspended. This was agreed unanimously.

DECIDED: That the licence be not suspended.

9 HEARING INTO THE POSSIBLE SUSPENSION OF A PRIVATE HIRE CAR LICENCE PH1202 AND PRIVATE HIRE CAR DRIVER'S LICENCE P0328 - PERSONAL APPEARANCE

The Board considered the possible suspension of the undernoted Private Hire Car Licence PH1202 and Private Hire Car Driver's Licence P0328. The licence holder had been asked to appear personally for the first time:-

David Brown, 37 Gifford Wynd, Paisley

Mr David Brown Junior, was invited into the meeting together Mrs McIntosh, Civic Government Enforcement Officer.

Mr Brown Junior advised that he was representing his father, Mr David Brown Senior, the holder of the Private Hire Car Licence PH1202. Mr Brown Junior further advised that he was the holder of the Private Hire Car Driver's Licence P0328 and that he had not been cited to appear at the Board.

The Civic Government Enforcement Officer indicted that the driver who was the subject of the complaint was Mr Brown Junior. The Convener proposed that the Board adjourn to allow members to consider this matter. This was agreed unanimously.

The Board reconvened and the Assistant Managing Solicitor (Licensing) advised that given the circumstances, the complaint could not be considered in its current form. The Civic Government Enforcement Officer requested that the complaint be withdrawn at this time.

The Convener proposed that the Board note that the complaint had been withdrawn. This was agreed unanimously.

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