

Minute of Meeting Regulatory Functions Board

| Date | Time | Venue |
|------------------------------|-------|--|
| Wednesday, 20 September 2017 | 10:00 | Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN |

Present

Councillor Lisa-Marie Hughes, Councillor Alistair Mackay, Councillor Cathy McEwan, Councillor John McNaughtan, Councillor Kevin Montgomery, Councillor Emma Rodden, Councillor Andy Steel, Councillor Jane Strang

Chair

Councillor McNaughtan, Convener, presided.

In Attendance

A McLaughlin, Senior Solicitor (Litigation and Regulatory Services), P Shiach, Committee Services Officer and K Whiteside, Licensing Officer (Paralegal) (all Finance & Resources).

Apologies

Provost Lorraine Cameron and Councillor Eddie Devine.

Declarations of Interest

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

Order of Business

In terms of Standing Order 16, the Convener intimated that he proposed to alter the order of business to facilitate the conduct of the meeting by considering item 6 of the agenda prior to the scheduled adjournment following item 5 of the agenda.

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 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 together with Police Scotland who had submitted an objection to the application: -

Michael John Lawrie, 35 Sycamore Avenue, Johnstone

There was no appearance by or on behalf of Mr Lawrie. Inspector Kirkland and Sergeant Curran, on behalf of the Chief Constable who had submitted an objection in respect of the application were invited into the meeting. The Convener proposed that the matter be considered in Mr Lawrie'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.

2 Variation to Extend Hours – LHC-001 – Personal Appearance

There was submitted the undernoted application for the variation to extend hours to a Late Hours Catering 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:-

Applicant: Mohammed Hossein Azizi, 37 Melville Gardens, Bishopbriggs

Premises: Mr Kebab, 36 Causeyside Street, Paisley

Operating hours: Sunday to Thursday 11.00 pm to 1.00 am

Friday and Saturday 11.00 pm to 4.00 am

Mr Azizi, the applicant, was invited into the meeting together with Inspector Kirkland and Sergeant Curran, on behalf of the Chief Constable who had submitted an objection in respect of the application.

After consideration of all matters before the Board, the Board adjourned to allow members to consider the application. The meeting was reconvened and the Convener proposed that the application be refused. This was agreed unanimously.

DECIDED: That the application be refused.

3 Renewal of a Second Hand Dealer's Licence – SHD-095 - Personal Appearance

There was submitted the undernoted application for the renewal of a Second Hand Dealer's 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:-

Net Motor Spares Limited, 15 McFarlane Street, Paisley

Mr Zarnowski, Director, Mr Lambert, Business Development Manager and Mr Banks, Solicitor, representing the applicant, were invited into the meeting together with Inspector Kirkland and Sergeant Curran, on behalf of the Chief Constable who had submitted an objection in respect of the application.

After consideration of all matters before the Board, the Board adjourned to allow members to consider the application. The meeting was reconvened.

Councillor McNaughtan, seconded by Councillor Rodden, moved that the application be granted for a period of two years.

Councillor Steel, seconded by Councillor Montgomery, moved as an amendment that the application be refused.

In terms of Standing Order 30 the Convener intimated that the vote would be by a show of hands.

On a vote being taken, 2 members voted for the amendment and 6 members voted for the motion. The motion was accordingly declared carried.

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

Adjournment

The meeting adjourned at 11.40 am and reconvened at 11.55 am.

4 Application for Renewal of a Street Traders Licence – Personal Appearance

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

Applicant: Elizabeth Margaret Donaldson, 400 Gladsmuir Road, Hillington – ST-475
 Trading From: Watt Road and Huntly Road, Hillington Industrial Estate and Maxwell Street, Paisley
 Operating Hours: Watt Road and Huntly Road, Hillington Industrial Estate – 6.00 am to 2.30 pm and Maxwell Street, Paisley – 9.00 pm to 4.00 am Monday to Sunday

Miss Donaldson, the applicant was invited into the meeting together with her father Mr Donaldson and Ms Burke, employee.

After consideration of all matters before the Board, the Convener proposed that the application 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 application be allowed to be an exception to the Board's policy on trading hours and that the application granted for a period of two years.

5 Application for Grant of Street Traders' Licences – Personal Appearances

There were submitted the undernoted applications for grant of Street Traders' Licences. The applicants had been asked to appear personally for the first time together with Police Scotland who had submitted an objection to application 5(b):-

(a) Applicant: Louise Burke, 10 Kintyre Avenue, Linwood
 Trading From: Watt Road and Huntly Road, Hillington Industrial Estate and Maxwell Street, Paisley
 Operating Hours: Watt Road and Huntly Road, Hillington Industrial Estate – 6.00 am to 2.30 pm Monday to Friday and Maxwell Street, Paisley – 9.00 pm to 4.00 am Monday to Sunday

Ms Burke, the applicant, was invited into the meeting together with Mr A Donaldson and Ms E Donaldson, her representatives.

After consideration of all matters before the Board, the Convener proposed that the application be allowed to be an exception to the Board's policy on trading hours and that the application be granted for a period of one year. This was agreed unanimously.

DECIDED: That the application be allowed to be an exception to the Board's policy on trading hours and that the application granted for a period of one year.

(b) Applicant: Andrew Donaldson, Flat 1/1, 11 Meadowside Street, Renfrew
 Trading From: Watt Road and Huntly Road, Hillington Industrial Estate and Maxwell Street, Paisley
 Operating Hours: Watt Road and Huntly Road, Hillington Industrial Estate – 6.00 am to 2.30 pm Monday to Friday and Maxwell Street, Paisley – 9.00 pm to 4.00 am Monday to Sunday

Mr Donaldson, the applicant, his daughter, Ms Donaldson and her employee, Ms Burke were invited into the meeting together with Inspector Kirkland and Sergeant Curran, representing 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 the application. The meeting was reconvened and the Convener proposed that the application be refused. This was agreed unanimously.

DECIDED: That the application be refused.

6 Renewal of a Late Hours Catering Licence

There was submitted the undernoted application for the renewal of a Late Hours Catering Licence: -

Applicant: Krispy Kreme Limited

Premises: Old Maritime Museum Building, Kings Inch Road, Braehead

Activity: Manufacture and retail of doughnuts and beverages

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

The Convener proposed that the application 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 application 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.

Adjournment

The meeting adjourned at 12.35 am and reconvened at 1.30 pm.

7 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: -

Mohammed Younis, 34 Carmichael Place, Glasgow

There was no appearance by or on behalf of Mr Younis. The Convener proposed that the application be continued to allow the landlord to appear personally at a future meeting of the Board. This was agreed unanimously.

DECIDED: That the application be continued to allow the applicant to appear personally at a future meeting of the Board.

8 Antisocial Behaviour Etc (Scotland) Act 2004 - Hearing into the Possible Removal from the Register of Private Landlords – 365003/3510/22211 - Personal Appearance

Under reference to item 12 of the Minute of the meeting of this Board held on 23 August 2017, the Board resumed consideration of the possible removal of the undernoted from the Register of Private Landlords. The Landlord had been asked to appear personally for the second time: -

Alan Hayes, 4 Ollach, Erskine

There was no appearance by or on behalf of Mr Hayes. The Convener proposed that the matter be considered in Mr Hayes' absence and this was agreed unanimously. After consideration of all matters before the Board, the Convener proposed that the Landlord be removed from the Register of Private Landlords. This was agreed unanimously.

DECIDED: That the Landlord be removed from the Register of Private Landlords.

9 Application for the Surrender and Re-issue of a Taxi Licence - Personal Appearance

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

Present Operator: Skyedale Limited, 16 Redhurst Crescent, Paisley
Proposed Operator: Colin Scott, 3 Leabank Avenue, Paisley
Licence No.: TX084

Mr Allen, representing Skyedale Limited, the current operator, was invited into the meeting. 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.

10 Application for Grant of a House in Multiple Occupation Licence HMO-017 - Personal Appearance

There was submitted the undernoted application for the grant of an HMO Licence. The applicant has been asked to appear personally for the first time together with the Director of Community Resources who has submitted a report on the outcome of enquiries made by the Council in relation to the suitability of the living accommodation at the address: -

RAMH, 41 Blackstoun Road, Paisley

Ms Byrne, the applicant was invited into the meeting together with Mr W Holmes, Environmental Health Officer and Ms F Wilson, Trading Standards and Licensing Manager, on behalf of the Director of Community Resources, who had submitted a report on the outcome of enquiries made by the Council in relation to the suitability of the living accommodation at the address.

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.

Minute of Meeting

Audit, Risk & Scrutiny Board

| Date | Time | Venue |
|---------------------------|----------|---|
| Tuesday 26 September 2017 | 10:00 am | Corporate Meeting Room 1, Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN |

Present

Councillor Tom Begg, Councillor Bill Binks, Councillor Stephen Burns, Councillor Michelle Campbell, Councillor Neill Graham, Councillor Emma Rodden

Apology

Councillor Jim Sharkey

In Attendance

A MacArthur, Head of Finance and C MacDonald, Senior Committee Services Officer (both Finance & Resources); and I Beattie, Head of Health & Social Care, Renfrewshire Health & Social Care Partnership.

Also Attending

D McConnell, Assistant Director and M Ferris, Senior Audit Manager (both Audit Scotland).

Declaration of Interest

Councillor Campbell declared a non-financial interest in Items 1 and 2 of the agenda as she worked for NHS Greater Glasgow and Clyde and indicated that it was her intention to remain in the meeting and take part in any discussion and voting thereon.

Declaration of Interest

Councillor Campbell having declared an interest in the following item of business remained in the meeting.

1 Audited Annual Accounts 2016/17

There was submitted a report by the Director of Finance & Resources relative to the Audit of Annual Accounts 2016/17. The report intimated that each year the Council's appointed external auditors (Audit Scotland) carried out an audit of the Council's financial statements and provided an opinion as to whether those statements provided a fair and true view of the financial position of the Council and its income and expenditure for the year.

The audit gave an opinion on whether the accounts had been prepared in accordance with the Local Government (Scotland) Act 1973. In addition, Audit Scotland also audited the accounts of the charities which the Council controlled, ie Common Good Funds and other Charitable Trusts. In accordance with International Auditing Standards (ISA260) Audit Scotland were obliged to report to those charged with the governance of the organisation matters which had arisen in the course of the audit. Under the Local Authority Accounts (Scotland) Regulations 2014, the Council must meet to consider the Annual Accounts and aim to approve those accounts for signature no later than 30 September.

The report intimated that the audited financial statements would be presented to Council for approval at the meeting on 28 September 2017. A copy of the findings from the audit of the 2016/17 Council, Common Good and Charitable Trust financial statements along with Audit Scotland's Annual Audit Report and a copy of the full Annual Accounts were attached as appendices to the report.

DECIDED: That the report, and attached Audit Scotland reports be noted.

Declaration of Interest

Councillor Campbell having declared an interest in the following item of business remained in the meeting.

2 Audit Scotland Report - Self-Directed Support

There was submitted a report by the Chief Officer, Renfrewshire Health and Social Care Partnership relative to the second Audit Scotland report on Self-Directed Support (SDS) findings, a copy of which was attached to the report as Appendix 1.

SDS described the mechanism by which people could have choice and control over the social care they received. It gave people control over an individual budget and allowed them to choose how it was spent on support which met their agreed social care outcomes. The Social Care (Self-Directed Support) (Scotland) Act 2013 placed a duty on local authorities to offer four options to eligible people, at the point of assessment, to self-direct their support. The Audit Scotland report highlighted 11 recommendations for authorities and detailed local progress in terms of implementing SDS support.

The report intimated that in addition to the main report, Audit Scotland also produced three supplements – a case study, the audit methodology and survey results, and a checklist for Councillors and Renfrewshire Health and Social Care Integration Joint Board members. A copy of the supplements were included within the report as Appendices 2 - 4.

DECIDED:

- (a) That the key recommendations made by Audit Scotland report for implementation by Health & Social Care Partnerships and Councils be noted;
- (b) That the local development in relation to implementing Self-Directed Support and the Health and Social Care Partnership's work to develop an improvement plan subsequent to the completion of its current self-evaluation exercise be noted;
- (c) That the content of the supplementary "Checklist for councillors and board members" which had been produced by Audit Scotland be noted; and
- (d) That it be noted that the report had also been submitted to the Renfrewshire Integration Joint Board meeting held on 15 September 2017.

3 Annual Review of Compliance with the Local Code of Corporate Governance

There was submitted a report by the Director of Finance & Resources relative to the annual review of the Local Code of Corporate Governance, the system by which councils directed and controlled their functions. Corporate governance ensured that councils did the right things in the right way for the right people in a timely, inclusive, open, honest and accountable manner.

The report reviewed the Council's Local Code of Corporate Governance and provided evidence of how the Council complied with the code which reflected the increased importance placed by the Council on self-assessment and activities involving greater scrutiny of services. It was also linked to the best value criteria where governance and accountability were key elements against which the Council was assessed. The evidence provided in the appendix to the report demonstrated that strong governance arrangements were in place within the Council and that Elected Members and officers were working together to lead and manage the Council in order to provide vital public services.

DECIDED:

- (a) That the Council's compliance with the Local Code of Corporate Governance set out in the appendix to the report be noted; and
- (b) That it be agreed that the Local Code of Corporate Governance be reviewed again in 2018.

4 Audit, Risk & Scrutiny Annual Programme 2017/18

There was submitted a report by the Director of Finance & Resources relative to an update on the Board's annual programme for 2017/18.

The report intimated that Lead Officers had now been allocated for the first two reviews, namely: fly tipping in the countryside and known fly tipping spots; and Housing repairs by Council and outside contractors. The first reports relative to these reviews would be considered at the meeting of the Board to be held on 6 November 2017.

It was noted that reports on the topics of Japanese Knotweed in our Gardens and Landscapes and Council Tax Exemptions would be submitted to the Board early in 2018.

The Convener intimated that Councillor Sharkey had put forward an additional item to be considered by the Audit, Risk & Scrutiny Board as part of its 2017/18 annual programme. It was proposed that this item be submitted to the next meeting of the Board on 6 November 2017 in order that Councillor Sharkey could advise Members of the reason this review should be undertaken. This was agreed.

DECIDED:

(a) That it be noted that Lead Officers had now been identified to the first two reviews, namely: fly tipping in the countryside and known fly tipping spots; and Housing repairs by Council and outside contractors and that these would commence at the next meeting of the Board to be held on 6 November 2017; and

(b) That it be agreed that consideration of the proposed additional item for inclusion in the Board's 2017/18 Annual Programme be continued to the next meeting of the Board in order that Councillor Sharkey could advise Members of the reason this further review should be undertaken.