

Minute of Meeting Regulatory Functions Board

| Date | Time | Venue |
|-----------------------------|-------|--|
| Thursday, 17 September 2015 | 10:00 | Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN |

PRESENT

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

CHAIR

Councillor Hood, Convener, presided.

IN ATTENDANCE

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

APOLOGIES

Councillor M Brown.

DECLARATIONS OF INTEREST

Councillor B Brown declared a non-financial interest in relation to item 3 (a) of the agenda as the applicant was known to him and indicated his intention to leave the meeting during consideration of the item and not to take part in any discussion or voting thereon.

Councillor E Devine declared a non-financial interest in relation to item 2(b) of the agenda as the Convener of the Environment Policy Board and intimated his intention not to participate in the Board's consideration of this item and not take part in any discussion or voting thereon.

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 2(b) of the agenda after item 1(a) 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 item 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 a representation to the application:

Alan Pringle, 129 Kirklandneuk Road, Renfrew

Mr Pringle, the applicant was invited into the meeting together with Inspector Glass and Sergeant Curran, 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.

RE-ADMISSION OF THE PRESS AND PUBLIC

The press and public were re-admitted to the meeting prior to consideration of the following item of business.

DECLARATION OF INTEREST

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

2 SKIN PIERCING AND TATTOOING LICENCE - PERSONAL APPEARANCE

APPLICANT: Shona Weir, 52 Lang Avenue, Renfrew

TRADING FROM: mobile locations

ACTIVITY: semi-permanent make-up Hours of Operation:

MONDAY TO SATURDAY – 9.00 am to 7.00 pm

There was no appearance by or on behalf of Ms Weir. R Marshall and R Flannigan, on behalf of the Director of Community Resources who had submitted a representation outwith the statutory timescale to the application, were invited into the meeting.

There was no appearance by or on behalf of Bishopton Community Council who had submitted an objection to the application.

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 appear personally at a future meeting of the Board. This was agreed unanimously.

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

SEDERUNT

Councillor E Devine re-entered the meeting prior to consideration of the following item of business.

EXCLUSION OF THE 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.

DECLARATION OF INTEREST

Councillor B Brown having declared an interest in relation to the following item of business left the meeting and did not take part in any discussion or voting thereon.

3 GRANT AND RENEWAL OF PRIVATE HIRE CAR DRIVERS' LICENCES – PERSONAL APPEARANCES

There were submitted the undernoted applications for the grant and renewal of Private Hire Car Drivers' Licences. The applicants had been asked to appear personally for the first time together with Police Scotland who had submitted a representation to application (a); an objection to applications (b), (c), (d) and (e); and an objection outwith the statutory timescale to application (f):-

(a) William Jamieson, 21 Tirry Way, Deanpark, Renfrew – Renewal of a Private Hire Car Driver's Licence.

Mr Jamieson, the applicant was invited into the meeting together with Inspector Glass and Sergeant Curran, on behalf of the Chief Constable who had submitted a representation 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.

Councillor Hood, seconded by Provost Hall, moved that the application be granted for a period of one year.

Councillor E Devine, seconded by Councillor M Devine, 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, 3 members voted for the amendment and 4 members voted for the motion. The motion was accordingly declared carried.

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

SEDERUNT

Councillor B Brown re-entered the meeting prior to consideration of the following item of business.

(b) Anwar Ul-Haq Shafi, 23 Campsie Drive, Renfrew – Renewal of a Private Hire Car Driver's Licence.

Mr Shafi, the applicant, was invited into the meeting together with Inspector Glass and Sergeant Curran on behalf of the Chief Constable who had submitted an objection to the application.

The Board adjourned to allow the applicant to receive further information from Police Scotland in relation to his application form. The meeting was reconvened.

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 granted. This was agreed unanimously.

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

(c) Peter Heron, 18B Nightingale Place, Johnstone – Grant of a Private Hire Car Driver's Licence.

There was no appearance by or on behalf of Mr Heron. Inspector Glass and Sergeant Curran on behalf of the Chief Constable who had submitted an objection to the application were invited into the meeting.

The Convener proposed that the application be considered in Mr Heron'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.

(d) John Glen, 70 Glenburn Road, Paisley – Grant of a Private Hire Car Driver’s Licence.

Mr Glen, the applicant was invited into the meeting together with Inspector Glass and Sergeant Curran, 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 the application. The meeting was reconvened and the Convener proposed that the application be granted. This was agreed unanimously.

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

(e) Alan Huey, Fordbank Cottage, Hallhill Road, Johnstone – Renewal of a Private Hire Car Driver’s Licence.

Mr Huey, the applicant was invited into the meeting together with Inspector Glass and Sergeant Curran, 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 the application. The meeting was reconvened.

Councillor Hood, seconded by Councillor Mullin, moved that the application be granted.

Councillor McQuade, seconded by Councillor McEwan, 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, 3 members voted for the amendment and 5 members voted for the motion. The motion was accordingly declared carried.

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

(f) Asif Mohammed, 25 Brent Avenue, Glasgow – Grant of a Private Hire Car Driver’s Licence.

There was no appearance by or on behalf of Mr Asif. Inspector Glass and Sergeant Curran, on behalf of the Chief Constable who had submitted an objection received outwith the statutory timescale to the application, were invited into the meeting.

The Convener proposed that the application be considered in Mr Asif’s absence and this was agreed unanimously. 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 Convener proposed that the application be refused. This was agreed unanimously.

DECIDED: That the application be refused.

4 **SKIN PIERCING AND TATTOOING LICENCE - PERSONAL APPEARANCE**

APPLICANT: Adele Logan, 4 Craigiehall Way, West Freeland, Erskine

TRADING FROM: Mirren Court (One) 119 Renfrew Road, Paisley and other mobile locations

ACTIVITY: Acupuncture

HOURS OF OPERATION: Monday to Sunday – 9.00 am to 9.00 pm

Mrs Logan, the applicant and Mr Logan, her business partner were invited into the meeting. The Assistant Managing Solicitor (Licensing) advised that the representation submitted outwith the statutory timescale to the application by the Director of Community Resources had been withdrawn.

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.

ADJOURNMENT

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

5 **RENEWAL OF STREET TRADER'S LICENCE - PERSONAL APPEARANCE**

APPLICANT: Theodorus Bouwmans, 52 Park Gardens, Kilbarchan

AUTHORISED GOODS: Dutch and Scottish snacks

TRADING FROM: Middleton Road, Linwood

OPERATING HOURS: Monday to Saturday 7.00 am to 5.00pm

There was no appearance by or on behalf of Mr Bouwmans. 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 **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:

Samuel Phelps, 21 Whinhill Road, Glasgow

Mr Phelps, 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.

7 REQUEST FOR EXEMPTION FROM ASSISTING WHEELCHAIR PASSENGERS

There was submitted the undernoted request for exemption from assisting wheelchair passengers. The applicant had been asked to appear personally for the first time:

John Clark, 26 Raasay Drive, Glenburn, Paisley.

There was no appearance by or on behalf of Mr Clark The Convener proposed that the application be considered in Mr Clark's absence and this was agreed unanimously.

After consideration of all matters before the Board the Convener proposed that the request for exemption for assisting wheelchair passengers be granted for a period of two years. This was agreed unanimously.

DECIDED: That the request for exemption for assisting wheelchair passengers be granted for a period of two years.

8 RENEWAL OF LANDLORD REGISTRATION - PERSONAL APPEARANCE

Under reference to paragraph 8 of the Minute of the meeting of this Board held on 19 August, 2015 there was submitted the undernoted application for renewal of Landlord Registration. The applicant had been asked to appear personally together with Police Scotland:

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

Mr Ditton, applicant and Mr Banks, solicitor were invited into the meeting together with Sergeant Divers on behalf of the Chief Constable who had submitted a representation in respect of the application.

Sergeant Divers advised that there had been a typographical error in the correspondence where the date of April 2013 should have read April 2011. In addition he clarified the position in relation in relation to a Police interview with Mr Ditton.

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.

9 GRANT OF LANDLORD REGISTRATIONS - PERSONAL APPEARANCES

There were submitted the undernoted applications for the grant of Landlord Registrations. The applicants had been asked to appear for the first time:-

(a) Craig Earl, 10 Macduff, Erskine (joint owner Lynette Earl)

Mr Earl, the applicant and Mrs Earl were invited into the meeting together with Sergeant Divers, Police Scotland.

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.

(b) Alison Will, Kingarth, 6 High Street, Fortrose

There was no appearance by or on behalf of Mrs Will. Sergeant Divers, Police Scotland 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 three years. This was agreed unanimously.

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

(c) Jonathon Woodall, 5 Arran Terrace, Ayr

There was no appearance by Mr Woodall. Mr Mann, solicitor representing Mr Woodall was invited into the meeting along with Sergeant Divers, Police Scotland.

Sergeant Divers clarified the position in relation to correspondence from the Chief Constable, advising that there was no pending case against Mr Woodall.

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.

(d) Alan Mackin, Cami Son Toells, 21 Edificio Pitacoras, Flat 3b, Black 2, San Agustin, Palma De Mallorca.

There was no appearance by Mr Mackin. Mr Murphy, agent and Mr MacIver, solicitor were invited into the meeting along with Sergeant Divers, Police Scotland.

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.

(e) Marc Lomas, 550 Ritchie Park, Johnstone (joint owner Claire Lomas)

Mr Lomas, the applicant and Mrs Lomas, together with Sergeant Divers, Police Scotland were invited into the meeting.

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

After further consideration, 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.

(f) Maurice Baxter, Flat 2/2, 14 John Neilson Avenue, Paisley.

There was no appearance by Mr Baxter. Sergeant Divers, Police Scotland was invited into the meeting.

After consideration of all matters before the Board 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 HOUSE IN MULTIPLE OCCUPATION LICENCES - PERSONAL APPEARANCES**

There were submitted the undernoted applications for the grant of Houses in Multiple Occupation Licences. The applicant had been invited to appear personally for the first time.

(a) **APPLICANT:** Acheson McKnight, 20 Darluith Park, Brookfield, Johnstone.
PREMISES: Flat 3/2, 55 Love Street, Paisley.

There was no appearance by Mr McKnight. The Assistant Managing Solicitor (Licensing) advised the Board that the application had been granted by the Head of Corporate Governance under delegated authority for a period of three years.

DECIDED: That it be noted that the application had been granted by the Head of Corporate Governance under delegated authority for a period of three years.

(b) **APPLICANT:** Acheson McKnight, 20 Darluith Park, Brookfield, Johnstone.
PREMISES: 32A St James Street, Paisley.

There was no appearance by Mr McKnight. The Assistant Managing Solicitor (Licensing) advised the Board that the application had been granted by the Head of Corporate Governance under delegated authority for a period of three years.

DECIDED: That it be noted that the application had been granted by the Head of Corporate Governance under delegated authority for a period of three years.

11 **RENEWAL OF LATE HOURS CATERING LICENCE**

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

APPLICANT: Shell UK Oil Products Limited
AUTHORISED GOODS: refreshments and food
TRADING FROM: Shell Hillington, Hillington Road, Glasgow
OPERATING HOURS: 7 days per week – 11.00 pm – 5.00 am

The Assistant Managing Solicitor (Licensing) advised the application required to be considered by the Board as the hours requested were outwith current policy.

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.

