

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Wednesday, 19 May 2021	10:00	Remotely by MS Teams ,

Present: Councillor Eddie Devine, Councillor Lisa-Marie Hughes, Councillor Alistair Mackay, Councillor Cathy McEwan, Councillor John McNaughtan, Councillor Kevin Montgomery, Councillor Andy Steel, Councillor Jane Strang

Chair

Councillor McNaughtan, Convener, presided.

In Attendance

D Campbell, Assistant Managing Solicitor (Licensing), R Graham, Senior Solicitor (Litigation & Regulatory Services), E Currie, Senior Committee Services Officer, E Gray, Senior Committee Services Officer, A Easdon, Team Leader (Licensing) (for items 1 to 6 only), G McIntosh, Civic Government Enforcement Officer (for items 1 and 7 only), K Marriott, Administrative Assistant (for items 7 and 8 only), and R McCallum, Administrative Assistant (for items 1 to 6 only) (all Finance & Resources).

Recording of Meeting

Prior to the commencement of the meeting the Convener intimated that this meeting of the Board would be recorded and that the recording would be available to watch on the Council's website.

Apologies

Councillors Audrey Doig and Rodden.

Declarations of Interest

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

1 Variations 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: Lorraine Wood

Variation: exception to policy and standard condition 1

Licence No.: PH0891

There was no appearance by or on behalf of Ms Wood, 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 Ms Wood's application for variation be granted and that standard condition 1 of her licence be amended to enable Ms Wood to operate her present vehicle, registration number FG14 JPJ, for a period of one year from 19 May 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 19 May 2021. This was agreed unanimously.

DECIDED: That Ms Wood's application for variation be granted and that standard condition 1 of her licence be amended to enable Ms Wood to operate her present vehicle, registration number FG14 JPJ, for a period of one year from 19 May 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 19 May 2021.

(b) Applicant: Thomas Stein

Variation: exception to policy and standard condition 1

Licence No.: PH1172

There was no appearance by or on behalf of Mr Stein, the applicant, who had previously indicated that he wished his application to be determined by way of written submissions. After consideration of all matters before the Board, the Convener proposed that Mr Stein's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Stein to operate his present vehicle, registration number SD14 UWL, for a period of one year from 19 May 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 19 May 2021. This was agreed unanimously.

DECIDED: That Mr Stein's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Stein to operate his present vehicle, registration number SD14 UWL, for a period of one year from 19 May 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 19 May 2021.

2 Grant of Late Hours Catering Licence - Personal Appearance

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

Applicant: TH UK & Ireland Limited
Premises: Tim Hortons, Linwood Road, Paisley
Authorised goods: restaurant
Operating hours: Monday to Sunday – 24 hours

Mr McPhail, on behalf of 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 and that the applicant be allowed to be an exception to the Board's policy on trading hours. This was agreed unanimously.

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

3 **Renewal of Late Hours Catering Licences**

There were submitted the undernoted applications for renewal of Late Hours Catering Licences:-

(a) Applicant: TH UK & Ireland Limited
Premises: Tim Hortons, 113 Paisley Retail Park, Renfrew Road, Paisley
Authorised goods: café restaurant
Operating hours: Monday to Sunday – 11.00 pm to 5.00 am
Licence No.: LHC113

The Convener proposed that the application be granted for a period of two years and that the applicant continue to be allowed to be an exception to the Board's policy on trading hours. This was agreed unanimously.

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

(b) Applicant: Select Service Partner UK Limited
Premises: Starbucks, Main International Departures Lounge, Glasgow Airport
Authorised goods: catering, including but not limited to, teas/coffees, hot and cold food
Operating hours: Monday to Sunday – 11.00 pm to 5.00 am
Licence No.: LHC041

The Convener proposed that the application be granted for a period of two years and that the applicant continue to be allowed to be an exception to the Board's policy on trading hours. This was agreed unanimously.

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

(c) Applicant: Krispy Kreme UK Limited
Premises: Intu Braehead Retail Park, Kings Inch Road, Glasgow
Authorised goods: doughnuts and drinks
Operating hours: Monday to Sunday – 11.00 pm to 5.00 am
Licence No.: LHC114

The Convener proposed that the application be granted for a period of two years and that the applicant continue to be allowed to be an exception to the Board's policy on trading hours. This was agreed unanimously.

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

(d) Applicant: Wm Morrison Supermarkets plc
Premises: 30 Napier Street, Johnstone
Authorised goods: supermarket
Operating hours: Monday to Sunday – 11.00 pm to 5.00 am
Licence No.: LHC086

The Convener proposed that the application be granted for a period of two years and that the applicant continue to be allowed to be an exception to the Board's policy on trading hours. This was agreed unanimously.

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

(e) Applicant: Mohammad Haldar
Premises: Papa John's, 58 Glasgow Road, Paisley
Authorised goods: pizza takeaway
Operating hours: Monday to Sunday – 11.00 pm to 2.00 am

The Assistant Managing Solicitor (Licensing) advised that the operating hours requested were 11.00 pm to 2.00 am and not 5.00 am as stated on the agenda.

The Convener proposed that the application be granted for a period of two years and that the applicant continue to be allowed to be an exception to the Board's policy on trading hours. This was agreed unanimously.

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

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 Grant of Private Hire Car Drivers' Licences - Personal Appearances

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

(a) Arsalan Ahmed Azeem

Mr Azeem, 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) Muhammad Shahid

Mr Shahid, the applicant, joined the meeting by telephone 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) Mahmood Sajid

There was no appearance by or on behalf of Mr Sajid, the applicant, who had previously indicated that he wished his 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 for a period of one year. This was agreed unanimously.

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

5 **Renewal of Late Hours Catering Licence**

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

Applicant: McDonalds Restaurants Limited
Premises: Phoenix Retail Park, Linwood Road, Linwood
Authorised goods: burgers, fries, coffees, soft drinks etc
Operating hours: Monday to Sunday – 11.00 pm to 5.00 am
Licence No.: LHC016

The Assistant Managing Solicitor (Licensing) advised that the operating hours requested were 11.00 pm to 5.00 am and not 2.00 am as stated on the agenda.

The Convener proposed that the application be granted for a period of two years and that the applicant continue to be allowed to be an exception to the Board's policy on trading hours. This was agreed unanimously.

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

6 **Surrender and Re-issue of Taxi Operator's Licence**

There was submitted the undernoted application for the surrender and re-issue of a Taxi Operator's Licence:-

Present operator: Thomas Baggley
Proposed operator: James Kilgour
Licence No.: TX012

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

DECIDED: That the application be granted.

Adjournment

The meeting adjourned at 11.00 am and reconvened at 1.30 pm.

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Councillors Devine, Hughes, McEwan and Montgomery were not in attendance when the meeting reconvened.

7 Hearing into Possible Suspension or Revocation of Private Hire Car Driver's Licence - Personal Appearance

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

Licence holder: Anwar Ul-Haq Shafi
Licence No.: P0724

Mr Shafi, the licence holder, joined the meeting by video call together with Sergeant Robertson, on behalf of the Chief Constable, who also joined by video call. After consideration of all matters before the Board, the Assistant Managing Solicitor (Licensing) asked Mr Shafi if he wished to address the Board on any penalty the Board might impose prior to any motions being made in relation to his Private Hire Car Driver's Licence. Mr Shafi then addressed the Board.

Following consideration of Mr Shafi's submission, the meeting adjourned to allow members to consider the matter. The meeting was reconvened. The Convener proposed that Mr Shafi's Private Hire Car Driver's Licence be suspended for the unexpired portion of the duration of the licence with immediate effect. This was agreed unanimously.

DECIDED: That Mr Shafi's Private Hire Car Driver's Licence be suspended for the unexpired portion of the duration of the licence with immediate effect.

8 Applications for Landlord Registration - Personal Appearances

There were submitted the undernoted applications for Landlord Registration. The applicants had been asked to appear personally for the first time together with Police Scotland who had submitted a report in relation to application (a) and the Council's Director of Communities & Housing Services who had submitted a report in relation to application (b):-

(a) Darren Coyle

Mr Coyle, the applicant, and his Solicitor, Mr Sweeney, both joined the meeting by video call, together with Sergeant Robertson, on behalf of the Chief Constable, who had submitted a report in relation to the application, who also joined by video call. 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.

(b) Dariush Mirzajani

There was no appearance by or on behalf of Mr Mirzajani. Mr Hunter, on behalf of the Council's Director of Communities & Housing Services, who had submitted a report in relation to the application, joined the meeting by video call. The Convener proposed that the application be considered in Mr Mirzajani's absence. 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.