

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Thursday, 02 September 2021	10:00	Remotely by MS Teams ,

Present: Councillor Eddie Devine, Councillor Audrey Doig, Councillor Lisa-Marie Hughes, Councillor Alistair Mackay, Councillor John McNaughtan, Councillor Andy Steel

Chair

Councillor McNaughtan, Convener, presided.

In Attendance

D Campbell, Assistant Managing Solicitor (Licensing), D Pole, End User Technician, R Devine, Senior Committee Services Officer, P Shiach, Senior Committee Services Officer, A Easdon, Team Leader (Licensing), G McIntosh, Civic Government Enforcement Officer (for items 1 to 3 only), and R McCallum, Administrative Assistant (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 McEwan, Montgomery and Rodden.

Declarations of Interest

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

Additional Item

The Convener intimated that there was an additional item in relation to an application for the Grant of a Late Hours Catering Licence which had not been included in the notice calling the meeting. The Convener, being of the opinion that the item, which is dealt with at item 8 of this Minute, was urgent in view of the need to determine the matter timeously authorised its consideration.

1 Variation of Taxi Operators' Licences - Personal Appearances

There were submitted the undernoted applications for variation of Taxi Operators' Licences. The applicants had been asked to appear personally for the first time:-

(a) Applicant: Jason Clark

Variation: exception to policy and standard condition 22

Licence No.: TX115

Mr Clark, the applicant, joined the meeting by video call. After consideration of all matters before the Board, the Convener proposed that Mr Clark's application for variation be granted and that standard condition 22 of his licence be amended to enable Mr Clark to operate his present vehicle, registration SN13 ENE for a period of one year from 19 August 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 2 September 2021. This was agreed unanimously.

DECIDED: That Mr Clark's application for variation be granted and that standard condition 22 of his licence be amended to enable Mr Clark to operate his present vehicle registration number SN13 ENE for a period of one year from 19 August 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 2 September 2021.

SEDERUNT

Councillor Devine joined the meeting prior to consideration of the following item of business.

(b) Applicant: Michael Allan

Variation: exception to policy and standard condition 22

Licence No.: TX212

Mr Allan, the applicant, joined the meeting by video call. After consideration of all matters before the Board, the Convener proposed that Mr Allan's application for variation be granted and that standard condition 22 of his licence be amended to enable Mr Allan to operate his present vehicle, registration SE13 WGK for a period of one year from 27 August 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 2 September 2021. This was agreed unanimously.

DECIDED: That Mr Allan's application for variation be granted and that standard condition 22 of his licence be amended to enable Mr Allan to operate his present vehicle registration number SE13 WGK for a period of one year from 27 August 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 2 September 2021.

2 **Variation of Private Hire Car Operator's Licence - Personal Appearance**

There was submitted the undernoted application for variation of a Private Hire Car Operator's Licence. The applicant had been asked to appear personally for the first time:-

Applicant: Michael Dunlop

Variation: exception to policy and standard condition 1

Licence No.: PH1255

There was no appearance by or on behalf of Mr Dunlop. The Assistant Managing Solicitor (Licensing) advised that Mr Dunlop who had originally intended to join the meeting via telephone, had subsequently advised that he was unable to attend due to ill health. The Convener proposed that the application be considered in Mr Dunlop's absence. This was agreed unanimously.

After consideration of all matters before the Board, the Convener proposed that Mr Dunlop's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Dunlop to operate his present vehicle, registration number GK64 ECE, for a period of one year from 1 September 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 2 September 2021. This was agreed unanimously.

DECIDED: That Mr Dunlop's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Dunlop to operate his present vehicle, registration number GK64 ECE, for a period of one year from 1 September 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 2 September 2021.

3 **Renewal of Street Trader's Licence - Personal Appearance**

There was submitted the undernoted application for renewal of a Street Trader's Licence. The applicant had been asked to appear personally for the first time together with a representative of Bishopton Community Council who had submitted an objection to one of the locations detailed in the application:-

Applicant: Mark Parducci

Authorised goods: ice cream, cigarettes, groceries and confectionery

Trading from: Renfrewshire area excluding Lochfield, Hawkhead, Ralston, Erskine, Inchinnan and Paisley town centre

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

Licence No.: ST097

There was no appearance by or on behalf of Mr Parducci, the applicant, who had previously indicated that he wished his application to be determined by way of written submissions, or from Bishopton Community Council who had submitted an objection to one of the locations detailed in the application, who had also previously indicated that their objection was to be considered 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 two years. This was agreed unanimously.

DECIDED: That the application be granted for a period of two 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 Renewal of Private Hire Car Operator's Licence - Personal Appearance

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

Brian Ruddy PH0736

There was no appearance by or on behalf of Mr Ruddy, 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 Councillor Audrey Doig, seconded by Councillor McNaughtan, moved that consideration of the application be continued to allow Mr Ruddy the opportunity to obtain appropriate insurance.

Councillor Steel, seconded my Councillor Hughes moved, as an amendment that the application be refused.

On the roll being called the following members voted for the motion: Councillors Devine, Audrey Doig and McNaughtan.

The following members voted for the amendment: Councillors Hughes, Mackay and Steel. There being an equality of votes cast, the Convener used his second and casting vote in favour of the motion. The motion was accordingly declared carried.

DECIDED: That consideration of the application be continued to allow Mr Ruddy the opportunity to obtain appropriate insurance.

5 **Surrender and Re-issue of Taxi Operator's 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: Margaret Blackadder
Proposed Operator: Catherine Lee
Licence No.: TX074

Mrs Lee, the applicant, joined the meeting by video call. 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.

6 **Application for Exemption from Driver's Duties under Section 165 of the Equality Act 2010 - Personal Appearance**

There was submitted the undernoted application for exemption from driver's duties under Section 165 of the Equality Act 2010. The applicant had been asked to appear personally for the first time:-

Thomas Robertson T1644

Mr Robertson, the applicant, joined the meeting via telephone call. After consideration of all matters before the Board, the Convener proposed that the exemption be granted for the duration of the licence. This was agreed unanimously.

DECIDED: That the exemption be granted for the duration of the licence.

7 **Renewal of Taxi Driver's Licence - Personal Appearance**

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

Malik Ghafar T0248

There was no appearance by the applicant. Mr Jabbar Ghafar, the applicant's son, 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 two years subject to the applicant providing a further medical report within three months. This was agreed unanimously.

DECIDED: That the application be granted for a period of two years subject to the applicant providing a further medical report within three months.

8 **Grant of Late Hours Catering Licence**

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

Applicant: Motor Fuel Limited

Premises: 10 Greenock Road, Paisley

Authorised Activity: petrol station

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

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.

9 **Renewal of Private Hire Car Drivers' Licences - Personal Appearances**

There were submitted the undernoted applications for 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) and an objection received outwith the statutory timescale to application (b):-

(a) Greg Tetley P4339

Mr Tetley, the applicant, joined the meeting by video call together with Sergeant Robertson, on behalf of the Chief Constable who had submitted a representation in relation to the application. 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 two years. This was agreed unanimously.

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

(b) David Stevenson P0225

There was no appearance by or on behalf of Mr Stevenson. Sergeant Robertson, on behalf of the Chief Constable who had submitted an objection to the application received outwith the statutory timescale, joined the meeting by video call. 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.