

## Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Wednesday, 20 January 2021	10:00	Remotely by MS Teams ,

### Present

Councillor Eddie Devine, Councillor Audrey Doig, Councillor Lisa-Marie Hughes, Councillor Alistair Mackay, Councillor Cathy McEwan, Councillor John McNaughtan, Councillor Emma Rodden, Councillor Andy Steel, Councillor Jane Strang

### Chair

Councillor McNaughtan, Convener, presided.

### In Attendance

D Campbell, Assistant Managing Solicitor (Licensing), A McLaughlin, Senior Solicitor (Litigation and Regulatory Services), E Currie, Senior Committee Services Officer, P Shiach, Committee Services Officer, K Marriott, Administrative Assistant and E Graham, 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.

### Apology

Councillor Montgomery.

## Declarations of Interest

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

### 1 Renewal of Street Traders' Licences - Personal Appearances

Under reference to item 6 of the Minute of the meeting of this Board held on 28 October 2020, the Board resumed consideration of the undernoted applications for renewal of Street Traders' Licences. The applicants had been asked to appear personally for the first time:-

(a) Applicant: Tracy Ann Donaldson

Authorised goods: hot and cold food, beverages and milk

Trading from: Huntly Road and Watt Road, Hillington and Maxwell Street, Paisley

Operating hours: Huntly Road and Watt Road, Hillington – Monday to Friday from 6.00 am to 2.00 pm and Maxwell Street, Paisley – Monday to Sunday from 9.00 pm to 4.00 am

Licence No.: ST003

Ms Donaldson, the applicant, joined the meeting by telephone call. After consideration of all matters before the Board, the Convener proposed that the applicant continue to 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 applicant continue to 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.

(b) Applicant: Kelly McDowall

Authorised goods: hot and cold food, beverages and milk

Trading from: Huntly Road and Watt Road, Hillington and Maxwell Street, Paisley

Operating hours: Huntly Road and Watt Road, Hillington – Monday to Friday from 6.00 am to 2.00 pm and Maxwell Street, Paisley – Monday to Sunday from 9.00 pm to 4.00 am

Licence No.: ST089

There was no appearance by Miss McDowall. Miss E Donaldson, the applicant's representative, joined the meeting by video call. After consideration of all matters before the Board, the Convener proposed that the applicant continue to 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 applicant continue to 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.

### 2 Grant of Private Hire Car Operator's Licence - Personal Appearance

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

Mukhtar Ahmed Sahi Bibi

The Senior Solicitor (Litigation and Regulatory Services) advised that Mr Bibi had verbally indicated that he wished to withdraw his application but that, to date, no written confirmation of this had been received from Mr Bibi.

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

## **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.

## **Adjournment**

The meeting adjourned at 10.20 am and reconvened at 10.55 am.

### **3 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) Imran Ahmed

Mr Ahmed, 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) Bilal Aziz

There was no appearance by or on behalf of Mr Aziz. The Convener proposed that consideration of the application be continued and that the applicant be invited to a future meeting of the Board. This was agreed unanimously.

**DECIDED:** That consideration of the application be continued and that the applicant be invited to a future meeting of the Board.

#### **4 Renewal of House in Multiple Occupation Licence - Personal Appearance**

There was submitted the undernoted application for renewal of a House in Multiple Occupation Licence. The applicant had been asked to appear personally for the first time together with the Council's Director of Communities and Housing Services:-

Applicant: Scott Hume  
Property: Flat 2/2 9 Townhead Terrace, Paisley  
Licence No.: HMO 014

Mr Hume, the applicant, joined the meeting by video call together with Ms McEwan, on behalf of the Council's Director of Communities and Housing Services, who also 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 three years subject to the property meeting the standards requested by the Council's Director of Communities and Housing Services within a period of six months and that a final inspection be carried out within the same period. This was agreed unanimously.

**DECIDED:** That the application be granted for a period of three years subject to the property meeting the standards requested by the Council's Director of Communities and Housing Services within a period of six months and that a final inspection be carried out within the same period.

#### **5 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:-

Michael Curran T2035

Mr Curran, 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 the duration of Mr Curran's current Taxi Driver's Licence. This was agreed unanimously.

**DECIDED:** That the application be granted for the duration of Mr Curran's current Taxi Driver's Licence.

#### **6 Grant of Private Hire Car Driver's Licence - Personal Appearance**

Under reference to item 4(b) of the Minute of the meeting of this Board held on 19 November 2020, the Board resumed consideration of the undernoted application for grant of a Private Hire Car Driver's Licence. The applicant had been asked to appear personally for the second time together with Police Scotland who had submitted a representation to the application:-

Mark Monteith

Mr Monteith, the applicant, joined the meeting by video call together with Sergeant Robertson, representing the Chief Constable who had submitted a representation to the application, who also 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.

## **Adjournment**

The meeting adjourned at 12.10 pm and reconvened at 1.00 pm.

## **Declaration of Interest**

Councillor Hughes declared a non-pecuniary interest in respect of item 7(a) as the applicant was known to her, left the meeting and took no part in the discussion or decision thereon.

## **7 Applications for Landlord Registration - Personal Appearances**

Under reference to item 5(a) of the Minute of the meeting of this Board held on 30 January 2020, the Board resumed consideration of application (a) for grant of Landlord Registration; and under reference to item 8(c) of the Minute of the meeting of this Board held on 14 November 2019, the Board resumed consideration of application (b) for grant of Landlord Registration. The applicants had been asked to appear personally for the second time together with the Council's Director of Communities and Housing Services:-

(a) Stuart McIlree

Mr McIlree, the applicant, joined the meeting by telephone call together with Ms Kettle, on behalf of the Director of Communities and Housing Services, who 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 three years. This was agreed unanimously.

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

## **SEDERUNT**

Councillor Hughes re-joined the meeting prior to consideration of the following item of business.

Councillor McEwan left the meeting prior to consideration of the following item of business.

(b) David Blackwood

There was no appearance by or on behalf of Mr Blackwood. Mr Hunter, on behalf of the Council's Director of Communities and Housing Services, joined the meeting by video call. The Senior Solicitor (Litigation and Regulatory Services) advised that a late objection had been received to this application and that Mr Blackwood had been advised of this only the evening before the Board meeting. As a result, Mr Blackwood had been advised that the Board would be requested to continue consideration of this application today in order that the late objection could be intimated to him formally. Mr Blackwood had also been advised that he did not require to join this meeting of the Board.

The Convener proposed that consideration of the application be continued and that the applicant and late objector to the application be invited to a future meeting of the Board. This was agreed unanimously.

**DECIDED:** That consideration of the application be continued and that the applicant and late objector be invited to a future meeting of the Board.

## **8 Hearings into the Possible Removal from Register of Private Landlords - Personal Appearances**

Under reference to item 9(a) of the Minute of the meeting of this Board held on 14 November 2019, the Board resumed consideration of the possible removal of landlord (a) from the Register of Private Landlords; and considered the possible removal of landlords (b) and (c) from the Register of Private Landlords. Landlord (a) has been asked to appear personally for the second time and landlords (b) and (c) for the first time together with the Council's Director of Communities and Housing Services:-

(a) Neda Ghaffar

There was no appearance by or on behalf of Ms Ghaffar. Mr Hunter, on behalf of the Council's Director of Communities and Housing Services, joined the meeting by video call. After consideration of all matters before the Board, the Convener proposed that Ms Ghaffar be removed from the Register of Private Landlords. This was agreed unanimously.

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

## **ADJOURNMENT**

The meeting adjourned at 13.35 pm and reconvened at 13.55 pm.

(b) Iain Campbell

Mr Campbell, the landlord, joined the meeting by video call together with Mr Hunter, on behalf of the Director of Communities and Housing Services, who also joined the meeting by video call. After consideration of all matters before the Board, the Board adjourned to allow members to consider the matter. The meeting was reconvened and the Convener proposed (i) that no action be taken and that the landlord be not removed from the Register of Private Landlords; and (ii) that the Council's Director of Communities and Housing Services arrange for all properties detailed in Mr Campbell's landlord registration to be inspected with any issues reported to the licensing section. This was agreed unanimously.

**DECIDED:**

(i) That no action be taken and that the landlord be not removed from the Register of Private Landlords; and

(ii) That the Council's Director of Communities and Housing Services arrange for all properties detailed in Mr Campbell's landlord registration to be inspected with any issues reported to the licensing section.

(c) Manzoor Zafar

Mr Zafar, the landlord, joined the meeting by telephone call together with Mr Hunter, on behalf of the Council's Director of Communities and Housing Services, who joined the meeting by video call. After consideration of all matters before the Board, the Board adjourned to allow members to consider the matter. The meeting was reconvened and 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.