

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Thursday, 01 April 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 Kevin Montgomery, Councillor Emma Rodden, Councillor Jane Strang

Chair

Councillor McNaughtan, Convener, presided.

In Attendance

D Campbell, Assistant Managing Solicitor (Licensing), E Currie, Senior Committee Services Officer, P Shiach, Senior Committee Services Officer, G McIntosh, Civic Government Enforcement Officer (for items 1 to 4 only), E Graham, Administrative Assistants (for item 8 only), and N Barr, 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 Steel.

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 items 7(a), (b) and (c) of the agenda before item 5 of the agenda.

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: Ian Latimer

Variation: exception to policy and standard condition 1

Licence No.: PH1516

Mr Latimer, the applicant, joined the meeting by telephone call. After consideration of all matters before the Board, the Convener proposed that Mr Latimer's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Latimer to operate his present vehicle, registration number PE14 FJV, for a period of one year from 1 April 2021, subject to the vehicle being tested at three-monthly intervals. This was agreed unanimously.

DECIDED: That Mr Latimer's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Latimer to operate his present vehicle, registration number PE14 FJV, for a period of one year from 1 April 2021, subject to the vehicle being tested at three-monthly intervals.

(b) Applicant: Craig Halliday

Variation: exception to policy and standard condition 1

Licence No.: PH1608

There was no appearance by or on behalf of Mr Halliday, 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 Halliday's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Halliday to operate his present vehicle, registration number GL14 HJD, for a period of one year from 1 April 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 1 April 2021. This was agreed unanimously.

DECIDED: That Mr Halliday's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Halliday to operate his present vehicle, registration number GL14 HJD, for a period of one year from 1 April 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 1 April 2021.

Exclusion of Press and Public

The Board resolved that the press and public be excluded from the meeting during consideration of item 2 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.

2 Variation of Taxi Operator's Licence - Personal Appearance

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

Applicant: Ian Wright

Variation: exception to policy and standard condition 22

Licence No.: TX050

Mr Wright, the applicant, joined the meeting by telephone call. After consideration of all matters before the Board, the Convener proposed that Mr Wright's application for variation be granted and that standard condition 22 of his licence be amended to enable Mr Wright to operate his present vehicle, registration number YN13 CCY, for a period of one year from 1 April 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 1 April 2021. This was agreed unanimously.

DECIDED: That Mr Wright's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Wright to operate his present vehicle, registration number YN13 CCY, for a period of one year from 1 April 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 1 April 2021.

3 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: Moley Sarker

Variation: exception to policy and standard condition 1

Licence No.: PH1211

The Assistant Managing Solicitor (Licensing) intimated that Mr Sarker had withdrawn his application.

DECIDED: That it be noted that Mr Sarker had withdrawn his application.

(b) Applicant: Muhammad Alam

Variation: exception to policy and standard condition 1

Licence No.: PH1625

Mr Alam, the applicant, joined the meeting by telephone call. After consideration of all matters before the Board, the Convener proposed that Mr Alam's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Alam to operate his present vehicle, registration number PN14 XDT, for a period of one year from 1 April 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 1 April 2021. This was agreed unanimously.

DECIDED: That Mr Alam's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Alam to operate his present vehicle, registration number PH14 XDT, for a period of one year from 1 April 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 1 April 2021.

(c) Applicant: Thomas McNeil
Variation: exception to policy and standard condition 1
Licence No.: PH0705

Mr McNeil, the applicant, joined the meeting by video call. After consideration of all matters before the Board, the Convener proposed that Mr McNeil's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr McNeil to operate his present vehicle, registration number YX14 UHV, for a period of one year from 1 April 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 1 April 2021. This was agreed unanimously.

DECIDED: That Mr McNeil's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr McNeil to operate his present vehicle, registration number YX14 UHV, for a period of one year from 1 April 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 1 April 2021.

4 **Application for Landlord Registration - Personal Appearance**

Under reference to item 1(i) of the Minute of the meeting of this Board held on 4 February 2021, consideration was resumed of the undernoted application for Landlord Registration. The applicant had been asked to appear personally for the second time:-

Nick Swan

The Convener proposed that consideration of this application be continued and that, if required, Mr Swan be invited to a future meeting of the Board. This was agreed unanimously.

DECIDED: That consideration of the application be continued and that, if required, Mr Swan be invited to a future meeting of the Board.

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 11.25 am and reconvened at 12 noon.

Sederunt

Councillor Hughes was not in attendance when the meeting reconvened.

5 Applications for Exemption from Driver's Duties under Section 165 of the Equality Act 2010 - Personal Appearances

There were submitted the undernoted applications for exemptions from driver's duties under Section 165 of the Equality Act 2010. The applicants had been asked to appear personally for the first time:-

(a) John Sandells T1796

There was no appearance by or on behalf of Mr Sandells, 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 the duration of Mr Sandells' current Taxi Driver's Licence. This was agreed unanimously.

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

(b) William Guthrie T0018

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

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

Sederunt

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

(c) Colin Wardrop T1490

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

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

6 **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:-

Rasel Mia

Mr Mia, 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.

7 **Temporary Grant of Private Hire Car Driver's Licence - Personal Appearance**

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

Fraidon Aziz

Mr Aziz, 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.

Sederunt

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

Adjournment

The meeting adjourned at 12.40 pm and reconvened at 12.50 pm.

8 Hearing into Possible Removal from Register of Private Landlords - Personal Appearance

Under reference to item 8(d) of the Minute of the meeting of this Board held on 17 March 2021, consideration was resumed of the possible removal of the undernoted landlord from the Register of Private Landlords. The landlord had been asked to appear personally for the second time together with the Council's Director of Communities and Housing Services who had submitted a report:-

Amrik Uppal

Mr Uppal, the landlord, joined the meeting by telephone call together with Mr Mitchell, his Solicitor, who joined the meeting by video call, using the audio function, and Mr Hunter, representing the Director of Communities and Housing Services who had submitted a report, 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 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.