

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Thursday, 11 November 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) (for items 1 to 3 only), R Graham, Senior Solicitor, (Litigation & Advice), E Currie and P Shiach, both Senior Committee Services Officers, A Easdon, Team Leader (Licensing), G McIntosh, Civic Government Enforcement Officer (for items 1 to 3 only), K Marriott (for items 1 to 7 only) and R McCallum, both Administrative Assistants (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

Councillor Rodden declared a non-financial interest in item 4(f) of the agenda as the applicants were known to her and indicated her intention to leave the meeting during consideration of this item and not to take part in any discussion or voting thereon.

Councillor Steel declared a non-financial interest in item 4(f) of the agenda as the applicants were known to him and indicated his intention to leave the meeting during consideration of this item and not to 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 3 of the agenda before item 6 of the agenda; item 5 of the agenda after item 1(f) of the agenda; item 7 of the agenda before item 6 of the agenda; item 8(c) of the agenda after item 8 (a) of the agenda; and item 10(b) before item 10(a) of the agenda.

1 **Variation 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: Andrew Campbell

Variation: exception to policy and standard condition 1

Licence No.: PH1208

Mr Campbell, the applicant, joined the meeting by video call. After consideration of all matters before the Board, the Convener proposed that Mr Campbell's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Campbell to operate his present vehicle, registration number SA64 URH, for a period of one year from 19 September 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 11 November 2021. This was agreed unanimously.

DECIDED: That Mr Campbell's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Campbell to operate his present vehicle, registration number SA64 URH, for a period of one year from 19 September 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 11 November 2021.

(b) Applicant: Andrew Wilson

Variation: exception to policy and standard condition 1

Licence No.: PH0670

There was no appearance by or on behalf of Mr Wilson, 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 Wilson's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Wilson to operate his present vehicle, registration number FL64 PPX, for a period of one year from 26 September 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 11 November 2021. This was agreed unanimously.

DECIDED: That Mr Wilson's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Wilson to operate his present vehicle, registration number FL64 PPX, for a period of one year from 26 September 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 11 November 2021.

(c) Applicant: John Hyndman

Variation: exception to policy and standard condition 1

Licence No.: PH1117

Mr Hyndman, the applicant, joined the meeting by telephone call. After consideration of all matters before the Board, the Convener proposed that Mr Hyndman's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Hyndman to operate his present vehicle, registration number SF64 SSV, for a period of one year from 30 September 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out before 8 January 2022. This was agreed unanimously.

DECIDED: That Mr Hyndman's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Hyndman to operate his present vehicle, registration number SA64 URH, for a period of one year from 30 September 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out before 8 January 2022.

(d) Applicant: Richard Kilbride

Variation: exception to policy and standard condition 1

Licence No.: PH1597

There was no appearance by or on behalf of Mr Kilbride, 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 Kilbride's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Kilbride to operate his present vehicle, registration number SF64 RCZ, for a period of one year from 11 September 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 11 November 2021. This was agreed unanimously.

DECIDED: That Mr Kilbride's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Kilbride to operate his present vehicle, registration number SF64 RCZ, for a period of one year from 11 September 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 11 November 2021.

(e) Applicant: Maureen Myles

Variation: exception to policy and standard condition 1

Licence No.: PH1046

There was no appearance by or on behalf of Ms Myles, 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 Myles' application for variation be granted and that standard condition 1 of her licence be amended to enable Ms Myles to operate her present vehicle, registration number SG64 WCO, for a period of one year from 22 September 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 11 November 2021. This was agreed unanimously.

DECIDED: That Ms Myles' application for variation be granted and that standard condition 1 of her licence be amended to enable Ms Myles to operate her present vehicle, registration number SG64 WCO, for a period of one year from 22 September 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 11 November 2021.

(f) Applicant: David Myles

Variation: exception to policy and standard condition 1

Licence No.: PH0769

There was no appearance by or on behalf of Mr Myles, 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 Myles' application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Myles to operate his present vehicle, registration number SG64 WEH, for a period of one year from 22 September 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 11 November 2021. This was agreed unanimously.

DECIDED: That Mr Myles' application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Myles to operate his present vehicle, registration number SG64 WEH, for a period of one year from 22 September 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 11 November 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: Paisley Cab Co

Variation: exception to policy and standard condition 1

Licence No.: PH1396

The Senior Solicitor (Litigation & Advice) advised that the application had been withdrawn.

DECIDED: That it be noted that the application had been withdrawn.

3 **Civic Government (Scotland) Act 1982: Review of Taxi Fares within Renfrewshire**

There was submitted a report by the Director of Finance & Resources relative to a review of taxi fares within Renfrewshire.

The report advised that the Council, as Licensing Authority, was obliged to fix scales for the fares and other charges in its area in connection with the hire of a taxi. The Civic Government (Scotland) Act 1982 provided that fares should be fixed within 18 months beginning with the date on which scales last came into effect, this date being 14 December 2020.

The report indicated that the Council consulted with persons or organisations representative of the operators of taxis within its area on the current taxi fare scale, by email in June 2021. The consultation also included individual taxi operators who were informed of the consultation on the same date by text alert. It was noted that two responses to the consultation had been received, as detailed in the report. The review of the taxi fares had also been discussed at a meeting with representatives of taxi operators on 6 October 2021 with no views expressed.

The report intimated that the existing scales required to be reviewed and new scales proposed by the Board. Thereafter, formal notification of the proposed new scales would be given via a newspaper advertisement in the local press in order that representations may be made on the agreed proposal by a specified date at least one month from the date of the newspaper advertisement. Following the consultation period, a further report would be submitted to the Board to allow members to consider any representations and fix a new fare scale, to come into effect on a date decided by the Board.

The current and proposed taxi fare scales were detailed in Appendix 1 to the report and Appendix 2 to the report detailed the taxi fare scales within surrounding authorities.

Councillor McNaughtan, seconded by Councillor Rodden, moved that proposal 1 be approved, subject to an increased charge of £1.60 between midnight and 5.00am Monday to Friday and £2.00 between midnight and 5.00am Saturday and Sunday. This was agreed unanimously

DECIDED:

(a) That following review of the existing fares scale, as detailed in Appendix 1 to the report, it was decided that proposal 1 be proposed as a new taxi fares scale for Renfrewshire and included in a newspaper advertisement, subject to an increased charge of £1.60 between midnight and 5.00 am Sunday to Thursday nights and £2.00 between midnight and 5.00 am Friday and Saturday nights;

(b) That it be agreed that the revised fares scale come into effect on Monday 21 March 2022;

(c) That it be noted that the proposals would be advertised in the local press; and

(d) That it be agreed that the last day for lodging representations following on the proposed fare scale being advertised would be one calendar month after the date of publication of that advertisement.

Adjournment

The meeting adjourned at 10.40 am to allow time for members to observe the Remembrance Day two minutes silence at 11.00 am and reconvened at 11.05 am.

4 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: Malcolm Mearns

Variation: exception to policy and standard condition 22

Licence No.: TX094

There was no appearance by or on behalf of Mr Mearns, 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 Mearns' application for variation be granted and that standard condition 22 of his licence be amended to enable Mr Mearns to operate his present vehicle, registration number SD63 DNN, for a period of one year from 1 October 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 11 November 2021. This was agreed unanimously.

DECIDED: That Mr Mearns' application for variation be granted and that standard condition 22 of his licence be amended to enable Mr Mearns to operate his present vehicle, registration number SD63 DNN, for a period of one year from 1 October 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 11 November 2021.

(b) Applicant: Archie McLellan

Variation: exception to policy and standard condition 22

Licence No.: TX052

There was no appearance by or on behalf of Mr McLellan, 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 McLellan's application for variation be granted and that standard condition 22 of his licence be amended to enable Mr McLellan to operate his present vehicle, registration number SJ63 BXX, for a period of one year from 2 September 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 11 November 2021. This was agreed unanimously.

DECIDED: That Mr McLellan's application for variation be granted and that standard condition 22 of his licence be amended to enable Mr McLellan to operate his present vehicle, registration number SJ63 BXX, for a period of one year from 2 September 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 11 November 2021.

(c) Applicant: Michael McGarvey

Variation: exception to policy and standard condition 22

Licence No.: TX039

There was no appearance by or on behalf of Mr McGarvey, 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 McGarvey's application for variation be granted and that standard condition 22 of his licence be amended to enable Mr McGarvey to operate his present vehicle, registration number SD63 DGY, for a period of one year from 12 September 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out prior to 30 December 2021. This was agreed unanimously.

DECIDED: That Mr McGarvey's application for variation be granted and that standard condition 22 of his licence be amended to enable Mr McGarvey to operate his present vehicle, registration number SD63 DGY, for a period of one year from 12 September 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out prior to 30 December 2021.

(d) Applicant: William Mottram

Variation: exception to policy and standard condition 22

Licence No.: TX188

There was no appearance by or on behalf of Mr Mottram, 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 Mottram's application for variation be granted and that standard condition 22 of his licence be amended to enable Mr Mottram to operate his present vehicle, registration number SC63 ABX, for a period of one year from 5 September 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 11 November 2021. This was agreed unanimously.

DECIDED: That Mr Mottram's' application for variation be granted and that standard condition 22 of his licence be amended to enable Mr Mottram to operate his present vehicle, registration number SC63 ABX, for a period of one year from 5 September 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 11 November 2021.

(e) Applicant: Kenneth Cook

Variation: exception to policy and standard condition 22

Licence No.: TX051

There was no appearance by or on behalf of Mr Cook, 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 Cook's application for variation be granted and that standard condition 22 of his licence be amended to enable Mr Cook to operate his present vehicle, registration number

SG63 DDK, for a period of one year from 27 September 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 11 November 2021. This was agreed unanimously.

DECIDED: That Mr Cook's application for variation be granted and that standard condition 22 of his licence be amended to enable Mr Cook to operate his present vehicle, registration number SG63 DDK, for a period of one year from 27 September 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 11 November 2021.

Declarations of Interest

Councillors Rodden and Steel having previously declared interests in the following item of business, left the meeting and took no part in the discussion thereon.

(f) Applicant: The Partnership of C & J Ballantyne
Variation: exception to policy and standard condition 22
Licence No.: TX099

There was no appearance by or on behalf of the Partnership of C & J Ballantyne, the applicants, who had previously indicated that they wished their application to be determined by way of written submissions. After consideration of all matters before the Board, the Convener proposed that the application for variation be granted and that standard condition 22 of the licence be amended to enable the Partnership of C & J Ballantyne to operate their present vehicle, registration number SG63 JZR, for a period of one year from 21 October 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 11 November 2021. This was agreed unanimously.

DECIDED: That the application for variation be granted and that standard condition 22 of the licence be amended to enable the Partnership of C & J Ballantyne to operate the present vehicle, registration number SG63 JZR, for a period of one year from 21 October 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 11 November 2021.

Sederunt

Councillors Rodden and Steel re-joined the meeting prior to consideration of the following item of business.

(g) Applicant: Raymond Stanley
Variation: exception to policy and standard condition 22
Licence No.: TX163

The Senior Solicitor (Litigation & Advice) intimated that Mr Stanley had advised that he was unable to attend the meeting and had requested that consideration of his application be continued.

The Convener proposed that consideration of Mr Stanley's application be continued for a personal appearance and that Mr Stanley be invited to a future meeting of the Board.

DECIDED: That consideration of the application be continued for a personal appearance and that Mr Stanley 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.

5 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: Duncan Colville
Proposed Operator: Dermot Curran
Licence No.: TX063

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.

6 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 Director of Communities & Housing, Renfrewshire Council:-

Applicant: Bridgewater Housing Association
Property: 14 Park Top, Erskine
Licence No.: 214

Ms Gibson, on behalf of the applicant, joined the meeting by video call together with Ms McEwan and Ms Martin, on behalf of the Council's Director of Communities & Housing. 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 & Housing within a period of 12 weeks and that a final inspection be carried out within the same period. This was agreed unanimously. Ms Gibson, on behalf of the applicant, also agreed to this.

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 & Housing within a period of 12 weeks and that a final inspection be carried out within the same period.

Sederunt

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

7 Grant of House in Multiple Occupation Licence - Personal Appearance

There was submitted the undernoted application for grant of a House in Multiple Occupation Licence. The applicant had been asked to appear personally for the first time together with the Director of Communities & Housing, Renfrewshire Council:-

Applicant: Lauren Fraser
Property: Flat 2/2, 87 Causeyside Street, Paisley

Ms Fraser, the applicant, and her partner Mr Pianu, joined the meeting by video call together with Ms McEwan, on behalf of the Council's Director of Communities & Housing 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 consideration of the application be continued to enable the applicant to complete the outstanding work required by the Council's Director of Communities & Housing and that an application be made to the Sheriff for an extension of the statutory period allowed for reaching a decision on the application. This was agreed unanimously.

DECIDED: That consideration of the application be continued to enable the applicant to complete the outstanding work required by the Council's Director of Communities & Housing and that an application be made to the Sheriff for an extension of the statutory period allowed for reaching a decision on the application.

Adjournment

The meeting adjourned at 12.45 pm and reconvened at 1.30 pm.

8 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) Muhammad Nagi

Mr Nagi, 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) Paul Ndongala

Mr Ndongala, 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) Wajid Ali

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

DECIDED: That consideration of the application be continued for a personal appearance and that Mr Ali be invited to a future meeting of the Board.

9 **Grant of Private Hire Car Operator's Licence and Grant of Private Hire Car Driver's Licence - Personal Appearance**

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

Hilmit Omar

Mr Omar, the applicant, joined the meeting by telephone call. After consideration of all matters before the Board, the Convener proposed (i) that Mr Omar's application for a Private Hire Car Operator's Licence be granted until 27 September 2022 and (ii) that Mr Omar's application for a Private Hire Car Driver's Licence be granted until 27 September 2022. This was agreed unanimously.

DECIDED:

(a) That Mr Omar's application for a Private Hire Car Operator's Licence be granted until 27 September 2022; and

(b) That Mr Omar's application for a Private Hire Car Driver's Licence be granted until 27 September 2022.

Prior to consideration of the following item of business, the Senior Solicitor (Litigation & Advice) intimated that the applications were grant of Private Hire Car Operators' Licences and not Private Hire Car Drivers' Licences as stated on the agenda.

10 **Grant of Private Hire Car Operators' Licences - Personal Appearances**

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

(a) Asad Chaudry

Mr Chaudry, 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) Akhtar Begum

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

DECIDED: That consideration of the application be continued for a personal appearance and that Mr Begum be invited to a future meeting of the Board.

(c) Arsalan 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.

(d) Mansoor Awais

The Senior Solicitor (Litigation & Advice) intimated that Mr Awais' application had been granted for a period of one year under delegated authority.

DECIDED: That it be noted that Mr Awais' application had been granted for a period of one year under delegated authority.

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

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

(a) Peter White

Mr White, 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 White's Taxi Driver's Licence. This was agreed unanimously.

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

(b) Lyndsey Hynd

There was no appearance by or on behalf of Ms Hynd, 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 the application be granted for the duration of Ms Hynd's Taxi Driver's Licence.

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