

Minute of Meeting Regulatory Functions Board

| Date | Time | Venue |
|--------------------------|-------|------------------------|
| Wednesday, 17 March 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 Kevin Montgomery, 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 item 1 only), E Graham, Administrative Assistant (for item 8 only), and N Barr, Administrative Assistant (for items 1 to 7 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 McEwan, Rodden and Steel.

Declarations of Interest

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

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: Rosalin Seymour

Variation: exception to policy and standard condition 22

Licence No.: TX 193

Ms Seymour, the applicant, joined the meeting by video call. After consideration of all matters before the Board, the Convener proposed that Mrs Seymour's application for variation be granted and that standard condition 22 of her licence be amended to enable Ms Seymour to operate her present vehicle, registration number SG62 ZMO, for a period of one year from 17 March 2021, subject to the vehicle being tested on a three-monthly basis. This was agreed unanimously.

DECIDED: That Ms Seymour's application for variation be granted and that standard condition 22 of her licence be amended to enable Ms Seymour to operate her present vehicle, registration number SG62 ZMO, for a period of one year from 17 March 2021, subject to the vehicle being tested on a three-monthly basis.

(b) Applicant: Wilma Anderson

Variation: exception to policy and standard condition 22

Licence No.: TX 057

There was no appearance by or on behalf of Ms Anderson, 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 Anderson's application for variation be granted and that standard condition 22 of her licence be amended to enable Ms Anderson to operate her present vehicle, registration number YN62 DCZ, for a period of one year from 17 March 2021, subject to the vehicle being tested on a three-monthly basis. This was agreed unanimously.

DECIDED: That Ms Anderson's application for variation be granted and that standard condition 22 of her licence be amended to enable Ms Anderson to operate her present vehicle, registration number YN62 DCZ, for a period of one year from 17 March 2021, subject to the vehicle being tested on a three-monthly basis.

(c) Applicant: Ian Mottram

Variation: exception to policy and standard condition 22

Licence No.: TX 027

Mr Mottram, the applicant, joined the meeting by video call. 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 YN62 DVC, for a period of one year from 17 March 2021, subject to the vehicle being tested on a three-monthly basis. 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 YN62 DVC, for a period of one year from 17 March 2021, subject to the vehicle being tested on a three-monthly basis.

2 Variation of Late Hours Catering Licences - Personal Appearances

There were submitted the undernoted applications for variation of Late Hours Catering Licences. The applicants had been asked to appear personally for the first time:-

(a) Applicant: Wm Morrison Supermarkets plc
Premises: Anchor Mill, Paisley
Variation: to vary existing hours to Monday to Sunday – 11.00 pm to 5.00 am
Licence No.: LHC 087

There was no appearance by or on behalf of Wm Morrison Supermarkets plc who had previously indicated that they wanted the 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. This was agreed unanimously.

DECIDED: That the application be granted.

(b) Applicant: Wm Morrison Supermarkets plc
Premises: Napier Street, Johnstone
Variation: to vary existing hours to Monday to Sunday – 11.00 pm to 5.00 am
Licence No.: LHC 086

There was no appearance on behalf of Wm Morrison Supermarkets plc who had previously indicated that they wanted the 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. This was agreed unanimously.

DECIDED: That the application be granted.

3 Renewal of Street Trader's Licence

There was submitted the undernoted application for renewal of a Street Trader's Licence:-

Applicant: William Greig
Authorised goods: hot and cold snacks
Trading from: Glebe Street and Broadloan, Renfrew
Operating hours: Glebe Street – Monday to Friday – 10.30 am to 11.15 am and Broadloan – Monday to Friday – 11.30 am to 2.30 pm and Saturday and Sunday – 9.00 am to 2.00 pm
Licence No.: ST 074A

The Convener proposed that the applicant continue to be allowed to be an exception to the Board's policy on trading in the vicinity of schools 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 in the vicinity of schools and that the application be granted for a period of two years.

4 Renewal of Late Hours Catering Licences

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

(a) Applicant: Boots the Chemist
Premises: First floor concourse, Glasgow Airport
Authorised goods: snack food and soft drinks
Operating hours: 7 days per week – 4.00 am to 5.00 am
Licence No.: LHC 029

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: D P K Foods Limited
Premises: Domino's Pizza, 41 Gauze Street, Paisley
Authorised goods: pizzas and other takeaway food
Operating hours: Sunday to Thursday – 11.00 pm to 1.00 am and Friday and Saturday – 11.00 pm to 2.00 am
Licence No.: LHC 107

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.

(c) Applicant: Select Service Partner UK Limited
Premises: Starbucks, Landside Arrivals, Glasgow Airport
Authorised goods: catering, including but not limited to, teas/coffees, hot and cold food
Operating hours: 7 days per week – 11.00 pm to 5.00 am
Licence No.: LHC 042

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.

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 could 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 10.45 am and reconvened at 11.00 am.

5 Grant of Private Hire Car Driver's Licence - Personal Appearance

Under reference to item 3(b) of the Minute of the meeting of this Board held on 20 January 2021, 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:-

Bilal Aziz

There was no appearance by or on behalf of Mr Aziz. The Convener proposed that the application be considered in Mr Aziz'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.

6 Renewal of Window Cleaner's Licence - Personal Appearance

There was submitted the undernoted application for renewal of a Window Cleaner's Licence. The applicant had been asked to appear personally for the first time together with Police Scotland who had submitted an objection to the application:-

William Ritchie
Licence No.: W 089

There was no appearance by or on behalf of Mr Ritchie, who had previously indicated that he wished his application to be determined by way of written submissions. Sergeant Robertson, on behalf of the Chief Constable who had submitted an objection to the application, 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 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.

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

There was submitted the undernoted application for grant of a Private Hire Car Driver's Licence. The applicant had been asked to appear personally for the first time together with Police Scotland who had submitted an objection received outwith the statutory timescale to the application:-

Kristopher McGlinchey

Mr McGlinchey, the applicant, and Mr Mitchell, his Solicitor, both joined the meeting by video call together with Sergeant Robertson, on behalf of the Chief Constable who had submitted an objection received outwith the statutory time limit to the application, who also joined the meeting by video call.

On hearing the reasons for the lateness of the objection, the Convener proposed that the objection be taken into account when the application was being considered. This was agreed unanimously.

After consideration of all matters before the Board, the Board adjourned to allow members to consider the application. The meeting was reconvened and the Convener proposed that the application be refused. This was agreed unanimously.

DECIDED: That the application be refused.

Adjournment

The meeting adjourned at 12.35 pm and reconvened at 13.15 pm.

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Councillors Hughes and Montgomery were not in attendance.

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

The Board considered the possible removal of the undernoted landlords from the Register of Private Landlords. The landlords had been asked to appear personally for the first time together with the Council's Director of Communities & Housing Services who had submitted reports:-

(a) Asghar Ali

Mr Ali, the landlord, joined the meeting by phone call together with Mr Hunter, representing the Director of Communities & Housing Services who had submitted a report, 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.

(b) Kwok Wah Ho

There was no appearance by or on behalf of Mr Ho. Mr Hunter, on behalf of the Director of Communities & Housing Services who had submitted a report, joined the meeting by video call. The Assistant Managing Solicitor (Licensing) advised that the landlord's agent had submitted email correspondence and it appeared Mr Ho no longer wished to maintain his registration. After consideration of all matters before the Board, the Convener proposed that Mr Ho 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 14.00 and reconvened at 14.15.

(c) Dariush Mirzajani

Mr Mirzajani, the landlord, joined the meeting by video call together with Mr Hunter, on behalf of the Director of Communities & 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.

(d) Amrik Uppal

There was no appearance by Mr Uppal. His agent, Mr Mitchell, joined the meeting by video call together with Mr Hunter, on behalf of the Director of Communities & Housing Services who had submitted a report, who also joined the meeting by video call.

Mr Mitchell advised that he had been called to Court and was unable to have Mr Uppal in attendance with him at the meeting. He requested that consideration of the matter be continued to allow his client to be present and represented at a future meeting. The Convener proposed that the meeting be adjourned to allow members to consider this matter. This was agreed unanimously. The meeting was reconvened and the Convener proposed that consideration of the matter be continued and that the landlord be invited to a future meeting of the Board. This was agreed unanimously.

DECIDED: That consideration of the matter be continued and that the landlord be invited to a future meeting of the Board.