

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Wednesday, 27 October 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 Andy Steel, Councillor Jane Strang

Chair

Councillor McNaughtan, Convener, presided.

In Attendance

D Campbell, Assistant Managing Solicitor (Licensing), E Gray, Senior Committee Services Officer, P Shiach, Senior Committee Services Officer, D Pole, End User Technician, G McIntosh, Civic Government Enforcement Officer (for items 1 to 10 only), E Graham, Administrative Assistant (Licensing) (for items 10 to 15 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.

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 item 3 of the agenda after item 7(d) of the agenda.

1 Renewal of Late Hours Catering Licence - Personal Appearance

There was submitted the undernoted application for renewal of a Late Hours Catering Licence. The applicant had been asked to appear personally for the first time together with Bishopton Community Council who had submitted a representation to the application:-

Applicant: Manjit Kaur

Premises: Chapati 9, 3 Greenock Road, Bishopton

Authorised activity: takeaway

Operating hours: Sunday to Thursday – 11.00 pm to 12 midnight and
Friday and Saturday – 11.00 pm to 1.00 am

Licence No.: LHC074

There was no appearance by or on behalf of Mr Kaur, the applicant, who had previously indicated that he wished his application to be determined by way of written submissions. Bishopton Community Council had also indicated that there would be no representation by them at the meeting and requested that the Board consider the written representation submitted. After consideration of all matters before the Board, the Convener proposed that Mr Kaur's application for renewal of a Late Hours Catering Licence be granted for a period of two years. This was agreed unanimously.

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

2 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) Rafal Bielicki

There was no appearance by or on behalf of Mr Bielicki. The Assistant Managing Solicitor (Licensing) advised the Board that the outstanding matters had been resolved and that the application had been granted under delegated authority for a period of one year.

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

(b) James Clark

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

3 **Surrender and Re-issue of Taxi Operators' Licences**

There were submitted the undernoted applications for the surrender and re-issue of Taxi Operators' Licences:-

(a) Present Operator: Iris Dougans
Proposed Operator: Scott Gibbons
Licence No.: TX022

The Convener proposed that the application be granted. This was agreed unanimously.

DECIDED: That the application be granted.

(b) Present Operator: Susan Smith
Proposed Operator: Douglas Ronald
Licence No.: TX026

The Convener proposed that the application be granted. This was agreed unanimously.

DECIDED: That the application be granted.

(c) Present Operator: Gary Brogan
Proposed Operator: David Paterson
Licence No.: TX069

The Convener proposed that the application be granted. This was agreed unanimously.

DECIDED: That the application be granted.

4 **Review of Taxi Rank: Gilmour Street, Paisley**

There was submitted a report by the Director of Finance & Resources seeking authority to consult with the taxi trade and the wider public on a proposed new taxi rank (and feeder rank) in Gilmour Street, Paisley to replace the existing taxi rank provision there.

The report advised that officers in the Council's City Deal and Infrastructure Project Team had formulated a proposal to revoke the existing taxi rank (and feeder rank) in Gilmour Street, Paisley, and to appoint new ranks in their place. The existing taxi rank and feeder rank in Gilmour Street was approved on 18 September 1997 by the former Corporate Services Committee. The location of this rank was described at Appendix 1 and would allow spaces for eight taxis with an additional five spaces in a feeder rank located under the railway bridge at Gilmour Street.

The report indicated that the existing taxi rank provision continued to be used by the taxi trade, but the size of the current rank restricted the use of County Square for event space in Paisley Town Centre. In addition, representatives of taxi operators had previously suggested that traffic should be allowed to leave the taxi rank eastwards on Central Road, to facilitate taxi journeys to the south of Paisley. Currently taxi drivers needed to complete these journeys via the one-way system on Old Sneddon Street, resulting in increased peak time traffic congestion. Taxi representatives had also stated that they wished to maintain their close location to the main entrance to Paisley Gilmour Street Station, which provided high visibility for customers.

The report intimated that the new proposal would involve retention of a taxi rank, with six spaces for taxis, within County Square, together with a feeder rank containing a further eighteen spaces at Central Road. A description of the proposal was attached at Appendix 2 to the report, with an accompanying plan at Appendix 3. It was envisaged that the proposal would allow taxis to easily access the proposed feeder and main rank westwards on Central Road and to egress from the main rank by either the one way system or eastwards on Central Road. For comparison purposes, a plan of the existing layout at County Square was attached at Appendix 4.

The report advised that officers in the City Deal and Infrastructure Project Team had consulted informally with various stakeholders on possible changes to roads infrastructure and public realm works in Paisley Town Centre in Spring 2020 and again more recently in July 2021 to understand if there had been any changes in light of the Covid-19 pandemic. They had also consulted informally with representatives of the taxi trade on the proposal set out at Paragraph 3.5 of the report. Representatives of the taxi trade attended a meeting with Council officers on 20 February 2020, and again in a series of meetings in July 2021. At these meetings, taxi representatives indicated broad support for this proposal. In addition, New River, owners of the Piazza Shopping Centre, had been consulted on the proposed scheme as the feeder rank was located within the area of their ownership. Central Road was included in the current configuration of adopted roads and the scheme, if agreed, would proceed on that basis. Both the Director of Environment & Infrastructure and Head of Economy & Development were aware of, and supportive of, the proposal.

DECIDED:

- (a) That the proposed taxi ranks described at Appendix 2 and shown delineated in red on the plan at Appendix 3 of the report as suitable for consultation; be approved;
- (b) That officers be authorised to give notice to Police Scotland and to advertise the proposed new ranks in a newspaper circulating in the Council's area and to consult with representatives of the taxi trade in respect of the proposal;
- (c) That officers be instructed to bring a further report to the Board following consultation, reporting the results of the consultation; and
- (d) That the report be otherwise noted.

EXCLUSION OF PRESS AND PUBLIC

The Board resolved to exclude the press and public from the meeting during consideration of items 5 and 6 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.

5 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 together with Police Scotland who had submitted a representation to the application:-

Roderick McIntosh T1276

There was no appearance by or on behalf of Mr McIntosh, the applicant, 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 a representation in respect of the application was invited into the meeting 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 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.

6 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) Mohammad Aziz

Mr Aziz, the applicant, joined the meeting 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 the application be refused. This was agreed unanimously.

DECIDED: That the application be refused.

Sederunt

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

(b) Md Abdul Karim

Mr Karim, 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.

(c) Asad Chaudhry

Mr Chaudhry, 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 on one year.

(d) Zaid Hassen

There was no appearance by or on behalf of Mr Hassen 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 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 11.35 am and reconvened at 11.45 am.

Admission of Press and Public

The press and public were invited into the meeting prior to consideration of the following item of business.

7 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: Stephen Aitken

Variation: exception to policy and standard condition 1

Licence No.: PH1332

Mr McCreadie, representing the applicant, Mr Aitken, joined the meeting by video call. After consideration of all matters before the Board, the Convener proposed that Mr Aitken's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Aitken to operate his present vehicle, registration number NG14 LHU, for a period of one year from 31 July 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 27 October 2021. This was agreed unanimously.

DECIDED: That Mr Aitken's application for variation be granted and that standard condition 1 of his licence be amended to enable Mr Aitken to operate his present vehicle, registration number NG14 LHU, for a period of one year from 31 July 2021, subject to the vehicle being tested at three-monthly intervals with the first inspection being carried out within 28 days from 27 October 2021.

Exclusion of Press and Public

The Board resolved to exclude the press and public 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.

8 Renewal of Private Hire Car Operator's Licence and Renewal of Private Hire Car Driver's Licence - Personal Appearance

There were submitted the undernoted applications for renewal of a Private Hire Car Operator's Licence and renewal 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 objections to the applications:-

Anwar Ul-Haq Shafi PH1065 and P0724

There was no appearance by or on behalf of Mr Ul-Haq-Shafi, the applicant. Sergeant Robertson, on behalf of the Chief Constable who had submitted objections in respect of the applications was invited into the meeting by video call. After consideration of all matters before the Board, the Board adjourned to allow members to consider these applications. The meeting was reconvened and the Convener proposed that the application for renewal of a Private Hire Car Operator's Licence be refused. This was agreed unanimously.

The Convener further proposed that the application for renewal of a Private Hire Car Driver's Licence be refused. This was agreed unanimously.

DECIDED:

- (a) That the application for renewal of a Private Hire Car Operator's Licence be refused; and
- (b) That the application for renewal of a Private Hire Car Driver's Licence be refused.

9 Grant of Late Hours Catering Licence - Personal Appearance

There was submitted the undernoted application for grant of a Late Hours Catering Licence. The applicant had been asked to appear personally for the first time:-

Applicant: Muhammad Arshad

Premises: Salt & Chilli, 72 Netherhill Road, Paisley

Authorised activity: Indian takeaway

Operating hours: Sunday to Thursday – 11.00 pm to 12 midnight and
Friday and Saturday – 11.00 pm to 1.00 am

Mr Arshad, 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 two years. This was agreed unanimously.

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

Adjournment

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

10 Possible Suspension or Revocation of Private Hire Car Driver's Licence - Personal Appearance

The Board considered the possible suspension or revocation of the undernoted Private Hire Car Driver's Licence. The licence holder had been asked to appear personally for the first time together with Police Scotland:-

Licence holder: Stephen Hastie

Licence No.: P0359

Mr Hastie, the licence holder, joined the meeting by video call together with Sergeant Robertson, on behalf of the Chief Constable, who also joined by video call. After consideration of all matters before the Board, the Assistant Managing Solicitor (Licensing) asked Mr Hastie if he wished to address the Board on any penalty the Board might impose prior to any motions being made in relation to his Private Hire Car Driver's Licence. Mr Hastie then addressed the Board.

Following consideration of Mr Hastie's submission, the meeting adjourned to allow members to consider the matter. The meeting was reconvened. The Convener proposed that Mr Hastie's Private Hire Car Driver's Licence be not suspended and that no further action be taken. This was agreed unanimously.

DECIDED: That Mr Hastie's Private Hire Car Driver's Licence be not suspended and that no further action be taken.

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

11 Renewal of Private Hire Car Driver's Licence - Personal Appearance

There was submitted the undernoted application for renewal 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 to the application:-

Mohammed Javid P0323

Mr Javid, the applicant joined the meeting by video call together with Sergeant Robertson, who also joined by video call on behalf of the Chief Constable who had submitted an objection 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.

Councillor McNaughtan, seconded by Councillor Steel, moved that the application be granted for a period of two years.

Councillor Devine, seconded by Councillor Rodden, moved as an amendment that the application be refused.

On the vote being taken, five members voted for the motion and three members voted for the amendment. The motion was accordingly declared carried.

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

12 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:-

Morteza Honarmanozadeh

Mr Honarmanozadeh, 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.

13 **Renewal of Taxi Operator's Licence - Personal Appearance**

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

Vincent Dobbins TX045

Mr Dobbins, the applicant, was not in attendance and was represented by his son 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 two years. This was agreed unanimously.

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

14 **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 the Director of Communities & Housing who had submitted an objection to the application:-

Applicant: Lois Larkin

Authorised goods: groceries, cold snacks, ice cream, ice lollies, confectionery and newspapers

Trading from: Ferguslie Park area, Paisley

Operating hours: 7 days per week – 10.00 am to 10.30 pm

Licence No.: ST528

Mrs Larkin, the applicant joined the meeting by video call together with Mr Hunter who also joined by video call, on behalf of the Director of Communities & Housing Services who had submitted an objection to the application. 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 granted for a period of two years. This was agreed unanimously.

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

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

There was submitted the undernoted application for Landlord Registration. The applicant had been asked to appear personally for the first time together with the Director of Communities & Housing:-

Kenneth Thomson

Mr Thomson, the applicant, joined the meeting by video call together with Mr Hunter who also joined by video call, on behalf of the Director of Communities & Housing Services who had submitted a report 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 three years. This was agreed unanimously.

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