

Minute of Meeting

Regulatory Functions Board

Date	Time	Venue
Wednesday, 02 November 2016	10:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

PRESENT

Councillors B Brown, M Brown, E Devine, M Devine, Provost Hall and Councillors Hood and McQuade.

CHAIR

Councillor Hood, Convener, presided.

IN ATTENDANCE

D Campbell, Assistant Managing Solicitor (Licensing); E Clements, Senior Solicitor (for items 1-7 only); P Shiach, Committee Services Officer G McIntosh, Civic Government Enforcement Officer (for items 8 - 15 only) and K Whiteside, Licensing Officer (Paralegal) (all Finance & Resources).

DECLARATIONS OF INTEREST

There were no declarations of interest intimated prior to 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 12, 11, 10, 9, 15 and 14 of the agenda before item 13 of the agenda.

1 **APPLICATION FOR THE SURRENDER AND RE-ISSUE OF A TAXI OPERATORS LICENCE TX212A - PERSONAL APPEARANCE**

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

Present Operator: Janet Barclay, 14 Camps Crescent, Renfrew

Proposed Operator: The Partnership of J & T Taxis, 14 Camps Crescent, Renfrew

The Assistant Managing Solicitor (Licensing) advised that the applicants had intimated that they would be unable to attend the meeting. The Convener proposed that consideration of the application be continued and that the applicants be invited to a future meeting of the Board. This was agreed unanimously.

DECIDED: That consideration of the application be continued and that the applicants 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.

2 **APPLICATION FOR A TAXI LICENCE**

There was submitted the undernoted application for the renewal of a Taxi Licence: -

Eric Egan, 11 Fereneze Drive, Paisley

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.

3 **RENEWAL OF PRIVATE HIRE CAR DRIVER'S LICENCE P0060 - PERSONAL APPEARANCE**

There was submitted the undernoted application for the 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 and further letter to the application:-

John McLatchie, 250B Paisley Road, Renfrew

Mr McLatchie, the applicant was invited into the meeting together with his solicitor Mr Banks and Inspector Kirkwood and Sergeant Curran on behalf of the Chief Constable who had submitted an objection and a further letter to the application.

Inspector Kirkwood advised that the Chief Constable had withdrawn both the letter of objection and the further letter.

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.

4 **GRANT OF PRIVATE HIRE CAR DRIVERS' LICENCES – PERSONAL APPEARANCES**

There were submitted the undernoted applications for the grant of Private Hire Car Drivers' Licences. Applicant (a) had been asked to appear personally for the second time together with Police Scotland who had submitted an objection and a supplementary letter both of which had been received outwith the statutory timescale to the application. Applicant (b) had been asked to appear personally for the first time together with Police Scotland who had submitted an objection to the application. Applicant (c) had been asked to appear personally for the first time together with Police Scotland who had submitted an objection and a supplementary letter, both of which were received outwith the statutory timescale to application: -

(a) Ryan Cairns Stevenson, 1 Glenhead Court, Coylon, Ayrshire

There was no appearance by or on behalf of Mr Stevenson. The Convener proposed that the application be considered in Mr Stevenson's absence and this was agreed unanimously.

Inspector Kirkwood and Sergeant Curran on behalf of the Chief Constable who had submitted an objection and a further letter to the application outwith the timescale to the application were invited into the meeting. On hearing the reasons for the objection being received outwith the statutory timescale it was decided that the objection be taken into account when the application was being considered. On hearing the reasons for the supplementary letter being received outwith the statutory timescale it was decided that the letter be taken into account when the application was being considered where the interests of justice required.

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.

(b) Michael Alexander Kemp, 40 Abbotsford Crescent, Foxbar, Paisley

There was no appearance by or on behalf of the applicant. Inspector Kirkwood and Sergeant Curran on behalf of the Chief Constable who had submitted an objection to the application, were invited into the meeting.

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

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

(c) Christopher Young, 7A Lyle Street, Milngavie, East Dunbartonshire

Mr Young, the applicant was invited into the meeting together with Inspector Kirkwood and Sergeant Curran on behalf of the Chief Constable who had submitted an objection and a further letter to the application outwith the timescale to the application. On hearing the reasons for the objection being received outwith the statutory timescale it was decided that the objection be taken into account when the application was being considered. On hearing the reasons for the supplementary letter being received outwith the statutory timescale it was decided that the objection be taken into account when the application was being considered where the interests of justice required.

After consideration of all matters before the Board, the Board adjourned to allow members to consider the application. The meeting was reconvened.

Councillor Hood, seconded by Councillor M Devine, moved that the application be refused.

Provost Hall, seconded by Councillor McQuade, moved as an amendment that the application be granted for a period of one year.

In terms of Standing Order 30 the Convener intimated that the vote would be by a show of hands.

On a vote being taken, 4 members voted for the amendment and 3 members voted for the motion. The amendment was accordingly declared carried.

DECIDED: That the application be granted for a period of one year.

5 **GRANT OF A TAXI DRIVER'S LICENCE – PERSONAL APPEARANCE**

There was submitted the undernoted application for the grant 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 an objection to the application:-

Paul McDaid, 11 St Margaret's Avenue, Paisley

There was no appearance by or on behalf of Mr McDaid. Inspector Kirkwood and Sergeant Curran, on behalf of the Chief Constable who had submitted an objection to the application were invited into the meeting.

The Assistant Managing Solicitor (Licensing) advised that correspondence had been received from Mr McDaid explaining his absence.

The Convener moved that the application be continued. 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.

6 RENEWAL OF A TAXI DRIVER'S LICENCE AND REQUEST TO BE EXEMPT FROM ASSISTING WHEELCHAIR PASSENGERS – T0281 – PERSONAL APPEARANCE

There was submitted the undernoted application for the renewal of a Taxi Driver's Licence and request to be exempt from assisting wheelchair passengers. The applicant had been asked to appear personally for the first time: -

David Snell, 44 Abbotsford Crescent, Paisley

Mr Snell, the applicant, was invited into the meeting. 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.

The Convener proposed that Mr Snell's request for exemption from assisting wheelchair passengers be granted for the duration of his current Taxi Driver's Licence. This was agreed unanimously.

DECIDED:

(a) That the application for the renewal of a Taxi Driver's Licence be granted for a period of two years; and

(b) That Mr Snell's request for exemption from assisting wheelchair passengers be granted for the duration of his current Taxi Driver's Licence.

7 GRANT OF LANDLORD REGISTRATION - PERSONAL APPEARANCES

There were submitted the undernoted applications for the grant of Landlord Registration. The applicants had been asked to appear for the first time together with Police Scotland who had submitted representations in respect of the applications: -

(a) John Wilson, 8 Laburnum Grove, Troon

Mr Wilson, the applicant was invited into the meeting together with Inspector Kirkwood and Sergeant Curran on behalf of the Chief Constable who had submitted a letter in respect of the application.

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.

(b) Charles Caldwell, 25 Alloway Grove, Paisley

There was no appearance by or on behalf of Mr Caldwell. Inspector Kirkwood and Sergeant Curran, on behalf of the Chief Constable who had submitted a letter in respect of the application, were invited into the meeting.

The Assistant Managing Solicitor, (Licensing) advised that the applicant had submitted correspondence requesting that consideration of the application be continued. The Convener proposed that consideration of the application be continued and that the applicants be invited to a future meeting of the Board. This was agreed unanimously.

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

ADJOURNMENT

The meeting adjourned at 11.55 am and reconvened at 1.30 pm.

SEDERUNT

Councillors M Brown and McQuade were not in attendance.

8 GRANT OF A TAXI LICENCE – PERSONAL APPEARANCE

There was submitted the undernoted application for the grant of a Taxi Licence. The applicant had been asked to appear personally for the first time together with Jason Tannahill, Stewart Williamson and Charles Thomson who had submitted objections in relation to the application: -

John William Bryce Boal, 2/2, 9 Torbeck Street, Glasgow

Mr Boal, the applicant was invited into the meeting together with Jason Tannahill who had submitted an objection to the application on behalf of Renfrewshire Public Hire Association.

The Assistant Managing Solicitor (Licensing) advised the Board that the objection submitted by Charles Thomson had been withdrawn.

Reference was made to two plates and whether they were included in relation to setting the final number of plates available. The Board adjourned for clarification on the matter. The meeting was reconvened. The Assistant Managing Solicitor (Licensing) confirmed that there were 235 valid plates at this time.

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.

9 GRANT OF A TAXI LICENCE - PERSONAL APPEARANCE

There was submitted the undernoted application for the grant of a Taxi Licence.

The applicant had been asked to appear personally for the first time together with Jason Tannahill, Stewart Williamson and Charles Thomson who had submitted objections in relation to the application: -

Thomas Roberson, 7 Manor Park Avenue, Paisley

Mr Robertson, the applicant was invited into the meeting together with Jason Tannahill who had submitted an objection to the application on behalf of Renfrewshire Public Hire Association.

The Assistant Managing Solicitor (Licensing) advised the Board that the objection submitted by Charles Thomson had been withdrawn.

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.

10 **GRANT OF A TAXI LICENCE – PERSONAL APPEARANCE**

There was submitted the undernoted application for the grant of a Taxi Licence. The applicant had been asked to appear personally for the first time together with Jason Tannahill, Stewart Williamson and Charles Thomson who had submitted objections in relation to the application: -

Scott Gibbons, 5 McLean Place, Paisley

Mr Gibbons, the applicant was invited into the meeting together with Jason Tannahill who had submitted an objection to the application on behalf of Renfrewshire Public Hire Association.

The Assistant Managing Solicitor (Licensing) advised the Board that the objection submitted by Charles Thomson had been withdrawn.

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.

11 **GRANT OF A TAXI LICENCE – PERSONAL APPEARANCE**

There was submitted the undernoted application for the grant of a Taxi Licence. The applicant had been asked to appear personally for the first time together with Jason Tannahill, Stewart Williamson and Charles Thomson who had submitted objections in relation to the application: -

Rehman Malik, 59 Foxbar Road, Paisley

Mr Malik, the applicant was invited into the meeting together with Jason Tannahill who had submitted an objection to the application on behalf of Renfrewshire Public Hire Association.

The Assistant Managing Solicitor (Licensing) advised the Board that the objection submitted by Charles Thomson had been withdrawn.

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.

12 **GRANT OF A TAXI LICENCE – PERSONAL APPEARANCE**

There was submitted the undernoted application for the grant of a Taxi Licence. The applicant had been asked to appear personally for the first time together with Jason Tannahill who had submitted an objection in relation to the application:-

Shahzad Malik, 83 India Drive, Inchinnan

Mr Rehman Malik, representing the applicant was invited into the meeting together with Jason Tannahill who had submitted an objection to the application on behalf of Renfrewshire Public Hire Association.

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.

13 **GRANT OF A TAXI LICENCE - PERSONAL APPEARANCE**

There was submitted the undernoted application for the grant of a Taxi Licence. The applicant had been asked to appear personally for the first time together with Jason Tannahill, Stewart Williamson and Charles Thomson who had submitted objections in relation to the application: -

Iain Waddell, 64 Dunvegan Drive, Elderslie

Mr Waddell, the applicant was invited into the meeting together with Jason Tannahill who had submitted an objection to the application on behalf of Renfrewshire Public Hire Association.

The Assistant Managing Solicitor (Licensing) advised the Board that the objection submitted by Charles Thomson had been withdrawn.

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.

14 GRANT OF A TAXI LICENCE - PERSONAL APPEARANCE

There was submitted the undernoted application for the grant of a Taxi Licence. The applicant had been asked to appear personally for the first time together with Jason Tannahill who had submitted an objection in relation to the application: -

James Kilgour, 36 Stravaig Walk, Paisley

The Assistant Managing Solicitor (Licensing) advised that the application had been withdrawn.

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

15 GRANT OF A TAXI LICENCE - PERSONAL APPEARANCE

There was submitted the undernoted application for the grant of a Taxi Licence. The applicant had been asked to appear personally for the first time together with Jason Tannahill who had submitted an objection in relation to the application: -

William Morrison, 1 Auchentorlie Quadrant, Seedhill, Paisley

Mr Morrison, the applicant was invited into the meeting together with Jason Tannahill who had submitted an objection to the application on behalf of Renfrewshire Public Hire Association.

The Assistant Managing Solicitor (Licensing) advised the Board that the objection submitted by Charles Thomson had been withdrawn.

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.