

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Wednesday, 18 January 2017	10:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

Present:

Councillor Bill Brown, Councillor Maria Brown, Councillor Eddie Devine, Councillor Margaret Devine, Provost Anne Hall, Councillor John Hood, Councillor Cathy McEwan, Councillor James McQuade, Councillor Sam Mullin

Chair

Councillor Hood, Convener, presided.

In Attendance

J McKenzie, Senior Communications Officer (Chief Executive's)(for item 8 only); D Campbell, Assistant Managing Solicitor (Licensing); P Shiach, Committee Services Officer, G McIntosh, Civic Government Enforcement Officer (for item 8 only) and K Whiteside, Licensing Officer (Paralegal) (all Finance & Resources).

Apology

Councillor E Devine for lateness.

Declarations of Interest

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

EXCLUSION OF PRESS AND PUBLIC

The Board resolved that the press and public be excluded from the meeting during consideration of items 1, 2, 3, 4, 5, 6 and 10 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.

Sederunt

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

1 Grant of Late Hours Catering Licence - Personal Appearance

Under reference to item 3 of the Minute of the meeting of this Board held on 1 December 2016, the Board resumed consideration of the undernoted application for a Late Hours Catering Licence. The applicant had been asked to appear personally for the second time together with Police Scotland who had submitted an objection to the application:-

Applicant: Mohammed Mobeen Bashir, 112 Dixon Avenue, Glasgow

Premises: Masterchef, 23 Broomland Street, Paisley

Authorised Goods: Catering

Operating Hours: Sunday to Thursday 11.00 pm – 12 midnight

Friday to Saturday 11.00 pm – 1.00 am

Mr M Bashir, the applicant, was invited into the meeting together with Mr A Bashir and Inspector Kirkwood and Sergeant Curran, 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 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.

Sederunt

Councillor McEwan entered the meeting prior to the following item of business.

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

Under reference to item 3(d) of the Minute of the meeting of this Board held on 17 November 2016 the Board resumed consideration of the possible removal of the undernoted landlords from the Register of Private Landlords. The landlords had been asked to appear personally for the second time:-

(a) Mark McCafferty, 54a Levern Bridge Road, Glasgow

There was no appearance by or on behalf of Mr McCafferty. 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.

(b) Gordon Cooley and Denise Cooley, 96 Greenwood Road, Clarkston

There was no appearance by or on behalf of Mr and Mrs Cooley. The Convener proposed that consideration of the matter be continued and that the landlords 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.

3 Grant of Private Hire Car Drivers' Licences - Personal Appearances

There were submitted the undernoted applications for the grant of Private Hire Car Drivers' Licences. The applicants had been asked to appear personally for the first time together with Police Scotland who had submitted objections to the applications:-

(a) Mohammed Shabir Sharif, Flat 1/2, 214 Berkley Street, Glasgow

Mr Sharif, the applicant, was invited into the meeting together with Mr Asif and Inspector Kirkwood and Sergeant Curran 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 Hood, seconded by Provost Hall, moved that the application be refused.

Councillor Mullin 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 4 members voted for the motion. There being an equality of votes cast, the Convener used his second and casting vote in favour of the motion. The motion was accordingly declared carried.

DECIDED: That the application be refused.

(b) Binyamin Amin, 7 Foinaven Gardens, Glasgow

Mr Amin, the applicant, was invited into the meeting together with Ms Hayder and Inspector Kirkwood and Sergeant Curran 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 the application. The meeting was reconvened.

Councillor Hood, seconded by Councillor McEwan, moved that the application be

granted for a period on one year.

Provost Hall seconded by Councillor M Devine moved, as an amendment, that the application be refused.

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

On a vote being taken, 2 members voted for the amendment and 6 members voted for the motion. The motion was accordingly declared carried.

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

Adjournment

The meeting adjourned at 12.25 pm and reconvened at 12.35 pm.

Sederunt

Councillor E Devine entered the meeting prior to the following item of business.

4 Grant of Landlord Registrations - Personal Appearances

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

(a) James Murphy, 47 Osprey Crescent, Paisley

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

The Convener proposed that the application be considered in Mr Murphy'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.

(b) Stephen Reilly, 27 Paisley Road, Renfrew.

Mr Reilly, 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 relation to 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.

5 Renewal of Late Hours Catering Licence - Personal Appearance

There was submitted the undernoted application for renewal of a Late Hours Catering Licence which had been remitted to the Board by the Sheriff Court.

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:-

Applicant: Raja Paisley Limited, 57 Old Sneddon Street, Paisley
Premises: Raja Tandoori, 57 Old Sneddon Street, Paisley
Operating Hours: Sunday to Thursday – 11.00 pm to 12 midnight
Friday and Saturday – 11.00 pm to 2.00 am
Licence No.: LHC009

Mr Thorburn, representing 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 received outwith the statutory timescale to the application.

On hearing the reasons for the lateness of the objection from Police Scotland it was decided that the objection be not taken into account when the application was being considered.

After consideration of all matters before the Board, the Convener proposed that the application be granted for a two-year period until July 2017. This was agreed unanimously.

DECIDED: That the application be granted for a two-year period until July 2017.

Adjournment

The meeting adjourned at 1.30 pm and reconvened at 2.00 pm.

Sederunt

Councillor M Brown was not in attendance.

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

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

Lukman Hatmi, Flat 3/1 14 Kelso Street, Glasgow

There was no appearance by or on behalf of Mr Hatmi.

The Convener proposed that the application be considered in Mr Hatmi's absence. This was agreed unanimously.

After consideration of all matters before the Board, the Convener proposed that the application be continued. This was agreed unanimously.

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

7 Variation of Street Trader's Licence - Personal Appearance

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

Applicant: Alistair Murdoch, 6 2/2 Millview Crescent, Johnstone
Variation: Add Brediland Road, Kintyre Avenue and East Fulton, Linwood
Licence No.: ST033

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

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.

8 Variation of Booking Office Licence - Personal Appearance

There was submitted the undernoted application for variation of a Booking Office Licence. The applicant had been asked to appear personally for the first time together with Brian Cherry, General Manager Renfrewshire Cab Company who had submitted an objection to the application:-

Applicant: Uber Scot Limited, 93 George Street, Edinburgh
Premises: Airlink Business Centre, 25 Caledonia Street, Paisley
Variation: To increase the number of vehicles permitted to take bookings from 50 to 500; and vary local conditions 10 and 19 to allow electronic records to be kept rather than paper records
Licence No.: BO020

Mr Yiu representing the applicant was invited into the meeting together with Mr Cherry and Miss McCulloch on behalf of Renfrewshire Cab Company 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 variation of the Booking Office Licence be granted, in part, as under:

(i) Variation to increase the number of vehicles permitted to take bookings from 50 to 100; and

(ii) Variation of local conditions 10 and 19 to allow electronic records to be kept rather than paper copies, subject to paper copies of all records being made available for inspection by the Civic Government Enforcement Officer and Police Scotland on demand. This was agreed unanimously.

DECIDED: That the application for variation of a Booking Office Licence be granted in part, as under:

- (i) Variation to increase the number of vehicles permitted to take bookings from 50 to 100; and
- (ii) Variation of local conditions 10 and 19 to allow electronic records to be kept rather than paper copies, subject to paper copies of all records being made available for inspection by the Civic Government Enforcement Officer and Police Scotland on demand.

9 Grant of Late Hours Catering Licence - Personal Appearance

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

Applicant: Wm Morrison Supermarkets PLC, Hilmore House, Gain Lane, Bradford
Premises: Morrisons Daily Petrol Filling Station, 30 Napier Street, Johnstone
Authorised Goods: Convenience Store
Operating Hours: 7 days per week – 11.00 pm to 5.00 am

Mr Moir and his agent Mr MacIver representing the applicant were invited into the meeting.

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.

10 Surrender and Re-issue of Taxi Licences

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

(a) Present Operator: James Holmes, 199 Renfrew Road, Paisley
Proposed Operator: Kenneth Barnes, 10 Springfield Avenue, Paisley
Licence No.: TX154

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.

(b) Present Operator: William Fletcher, 38 Parksail Drive, Erskine
Proposed Operator: Matthew Brogan, 10 Dunearn Place, Paisley
Licence No.: TX077

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

DECIDED: That the application be granted.