

Minute of Meeting Regulatory Functions Board

Date	Time	Venue
Wednesday, 08 March 2017	10:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

Present

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

Chair

Councillor Hood, Convener, presided.

In Attendance

J McKenzie, Senior Communications Officer (Chief Executive's)(for item 1 only); D Campbell, Assistant Managing Solicitor (Licensing), A McLaughlin, Senior Solicitor (Licensing and Regulatory Services), P Shiach, Committee Services Officer, A Easdon, Licensing Officer (Paralegal) and G McIntosh, Civic Government Enforcement Officer (for item 1 only) (all Finance & Resources).

Apologies

Councillors M Brown, McQuade and Mullin.

Declarations of Interest

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

Additional Item

The Convener intimated that there was an additional item in relation to an application for Temporary Variation of a Cinema Licence at the Odeon Cinema, Xscape, Development Area 1, Kings Inch Road, Braehead which had not been included in the notice calling the meeting. The Convener, being of the opinion that the item, which is dealt with at item 12 of this Minute, was urgent in view of the need to determine the matter timeously authorised its consideration.

1 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 the taxi fares within Renfrewshire. The report intimated 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. Fares required to be fixed within 18 months beginning with the date on which scales last came into effect.

The report advised that the last Taxi Fare Review was carried out during 2015 with a revised Taxi Fares Scale being fixed. It had been agreed that the revised scale would come into effect on 10 August 2015 however following an appeal to the Traffic Commissioner, the scale did not come into effect until 31 January 2016. That revised scale represented an increase from the previous scale which was in effect, by allowing credit and debit card charges to be included, along with an additional £1 for journeys at specified times during the festive period.

Preliminary consultation had taken place with persons representative of taxi operators and a number of individual taxi operators on the current fares scale. The current fares scale in operation in Renfrewshire and summary proposals were detailed in Appendix 1 to the report. Appendix 2 detailed the tariffs operating in surrounding areas.

The responses received which amounted to four separate proposals were also summarised in paragraphs 3.4.1 to 3.4.4 of the report.

The report stated that the approved option for the taxi fares scale would require to be advertised in the local press giving the proposed date from when the proposal would have effect and inviting any interested parties to lodge representations within a proposed period of one month from the date of advertisement. The Council would consider any representations received prior to fixing the new taxi fares scale. The report proposed that any new fares scale would come into effect on 31 July 2017.

The Convener proposed that there be no increase in the taxi fares scale proposed for further consultation except that the Glasgow Airport Terminal Departure charge be increased from £1.00 to £1.50, and that the Glasgow Airport pick up and drop off charge of £2.00 be introduced. This was agreed unanimously.

DECIDED:

(a) That there be no increase in the taxi fares scale proposed for further consultation except that the Glasgow Airport Terminal Departure charge be increased from £1.00 to £1.50, and that a Glasgow Airport pick up and drop off charge of £2.00 be introduced;

(b) That a proposed date of 31 July 2017 be agreed for the proposed taxi fare scale to come into effect;

(c) That it be noted that, if approved by the Board, the proposals would be advertised in the local press; and

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

Exclusion of the Press and Public

The Board resolved that the press and public be excluded from the meeting during consideration of items 2a, 2b, 3, 4, 5a, 5b, 8a and 11 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 Grant of Taxi Drivers' Licences - Personal Appearances

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

(a) Flavio De Stefano, Flat 2/1, 600A Shettleston Road, Glasgow

There was no appearance by or on behalf of Mr De Stefano. Sergeant Curran and Constable McEwan, on behalf of the Chief Constable who had submitted a representation to the application, were invited into the meeting. The Convener proposed that the application be considered in Mr De Stefano'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) Roy Henderson, 3/2, 30 St James Street, Paisley

Mr Henderson, the applicant was invited into the meeting together with Sergeant Curran and Constable McEwan, on behalf of the Chief Constable who had submitted a representation to the application.

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.

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

There was submitted the undernoted application for the 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 a representation in respect of the application: -

Matthew Steel, 35 Grampian Avenue, Paisley

Mr Steel, the applicant was invited into the meeting together with Sergeant Curran and Constable McEwan, on behalf of the Chief Constable who had submitted a representation to the application.

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.

4 Renewal of a Private Hire Car Driver's Licence - P0243 - 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 a representation in respect of the application: -

Shelimur Rahman, 15/5, 160 Charles Street, Glasgow.

Mr Rahman, the applicant was invited into the meeting together with Mr Cohen, solicitor and Sergeant Curran and Constable McEwan on behalf of the Chief Constable who had submitted a representation to 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 granted for a reduced period of one year.

Councillor Mylet 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, 3 members voted for the amendment and 4 members voted for the motion. The motion was accordingly declared carried.

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

5 Grant of Landlord Registrations - Personal Appearances

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

(a) Gordon Brown, 3 Liberton Drive, Edinburgh

Mr Brown, the applicant was invited into the meeting together with Sergeant Curran and Constable McEwan on behalf of the Chief Constable who had submitted a representation to application.

After consideration of all matters before the Board, the Board adjourned to allow members to consider this application. The meeting was reconvened. 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) Christopher Brown, 15 Highgrove Road, Renfrew

Mr Brown, the applicant was invited into the meeting together with Sergeant Curran and Constable McEwan on behalf of the Chief Constable who had submitted a representation to 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.

Adjournment

The meeting adjourned at 12.05 pm and reconvened at 1.30 pm.

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Councillors McEwan and Mylet were not in attendance.

6 Grant of 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: -

Church of Scotland General Trustees, 121 George Street, Edinburgh

Mrs Killean, representing 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 three years. This was agreed unanimously.

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

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

Under reference to item 6 of the Minute of the meeting of this Board held on 18 January 2017 there was submitted the undernoted application for the grant of a Private Hire Car Driver's Licence. The applicant had been asked to appear personally for the second 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 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.

8 Renewal of Private Hire Car Drivers' Licences Personal Appearances

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

(a) Daniel McCargo, 68 Forfar Avenue, Cardonald, Glasgow

Mr McCargo, the applicant was invited into the meeting. Mr McCargo gave undertakings in relation to the renewal of his DVLA licence.

After consideration of all matters before the Board, the Convener proposed that the application be granted for a period of two years in light of the aforementioned undertakings. This was agreed unanimously.

DECIDED: That the application be granted for a period of two years in light of undertakings given in relation to Mr McCargo's DVLA licence.

(b) Alan Meek, 126 Gilmartin Road, Linwood, Paisley.

Mr Meek, the applicant was invited into the meeting. Mr Meek gave undertakings in relation to the renewal of his DVLA licence.

After consideration of all matters before the Board, the Convener proposed that the application be granted for a period of two years in light of the aforementioned undertakings. This was agreed unanimously.

DECIDED: That the application be granted for a period of two years in light of undertakings given in relation to Mr Meek's DVLA licence.

9 Surrender and Re-issue of a Taxi Operator's Licence - Personal Appearances

Under reference to item 10 of the Minute of the meeting of this Board held on 18 January, 2017 there was submitted the undernoted application for the surrender and reissue of a Taxi Licence. The applicants had been invited to appear personally for the first time:-

Present Operator: James Holmes, 199 Renfrew Road, Paisley

Proposed Operator: Kenneth Barnes, 10 Springfield Avenue, Paisley

Licence No.: TX154

Mr Holmes and Mr Barnes, the applicants were invited into the meeting. The Convener proposed that the application be granted and this was agreed unanimously.

DECIDED: That the application be granted.

10 Renewal of a Taxi Driver's Licence - T1774 - Personal Appearance

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

Robert Ross, 1 Braemount Avenue, Paisley

Mr Ross, the applicant was invited into the meeting. Mr Ross gave undertakings in relation to the renewal of his DVLA licence.

After consideration of all matters before the Board, the Convener proposed that the application be granted for a period of two years in light of the aforementioned undertakings. This was agreed unanimously.

DECIDED: That the application be granted for a period of two years in light of undertakings given in relation to Mr Ross' DVLA licence.

11 Request for Exemption from Assisting Wheelchair Passengers - T1796 - Personal Appearance

There was submitted the undernoted request to be exempt from assisting wheelchair passengers. The applicant had been asked to appear personally for the first time: -

John Sandells, 52 Beechwood Road, Cumbernauld

Mr Sandells, the applicant, was invited into the meeting. After consideration of all matters before the Board the Convener proposed that Mr Sandell'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: That Mr Sandell's request for exemption from assisting wheelchair passengers be granted for the duration of his current Taxi Driver's Licence.

12 Temporary Variation of a Cinema Licence - Odeon Cinema, Xscape, Development Area 1, Kings Inch Road, Braehead

There was submitted the undernoted application for the Temporary Variation of a Cinema Licence: -

Odeon Cinema, Xscape, Development Area 1, Kings Inch Road, Braehead.

The Convener proposed that the application to vary the licence and disapply conditions 2a and 2b to allow the showing of an unclassified film "Ice Guardians" on Monday 27 March 2017 at 19.00 until 22.00 on any screen within the cinema be granted. This was agreed unanimously.

DECIDED: That the application to vary the licence and disapply conditions 2a and 2b to allow the showing of an unclassified film "Ice Guardians" on Monday 27 March 2017 at 19.00 until 22.00 on any screen within the cinema be granted.