

GENERAL PURPOSES BOARD - 9 NOVEMBER 2011

General Purposes Board

Wednesday 9 November 2011 at 3.00 pm

Present: Councillors Ahlfeld, Brooks, Dorrian, Fyfe, McCallum, McIlwee, Moran, Rebecchi and White.

Chair: Councillor White presided.

In attendance: Mr F Jarvie (for Head of Legal & Democratic Services) and Inspector Boyle and Sergeant McDonald, Strathclyde Police.

The following paragraphs are submitted for information only, having been dealt with under the powers delegated to the Board.

742 Apologies, Substitutions and Declarations of Interest 742

Apologies for absence were intimated on behalf of Councillors Grieve and MacLeod.

There were no substitutions intimated.

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

743 Houses in Multiple Occupation: New Legislation 743

There was submitted a report by the Head of Legal & Democratic Services informing the Committee that Houses in Multiple Occupation (HMO) Licences are now considered under the Housing (Scotland) Act 2006, as amended from 31 August 2011.

The Board were asked to consider granting delegated authority to the Head of Legal & Democratic Services on the following points:-

1. grant HMO licences under Part 5 of the Housing (Scotland) Act 2006, as amended for a maximum period of 3 years where no objections have been received from council services or members of the public;
2. vary HMO licences under Section 138 of the said Act;
3. revoke HMO licences under Section 139 of the said Act;
4. grant temporary exemption orders under Section 142 of the said Act;
5. grant temporary exemption order (to improve safety and security) under Section 143 of the said Act;
6. suspend the rent or other sums for occupation payable under any tenancy or occupancy arrangement under Section 144 of the said Act;
7. serve a notice of decisions under Section 158 of the said Act;
8. increase the fees charged for the granting of HMO licences under Section 161 of the said Act and
9. remit to the Head of Legal & Democratic Services to determine the new fees.

Mr Jarvie advised the Board of a few amendments to the list namely number 3 be deleted and number 9 be subject to approval by the Board at a further meeting following consultation with relevant bodies.

There followed a discussion on implementation of the new legislation and conditions of

GENERAL PURPOSES BOARD - 9 NOVEMBER 2011

licence.

Decided:

1. noted the change in legislation;
2. agree to the delegated authority recommendation (numbers 1 to 9), as amended;
3. remit to the Head of Legal & Democratic Services to determine the new fees following consultation with the relevant bodies and subject to approval by the Board; and
4. a report be submitted to a further meeting outlining the main aspects of the new Act and conditions pertaining to licences.

It was agreed in terms of Section 50(A)(4) of the Local Government (Scotland) Act 1973 as amended that the public and press be excluded from the meeting during consideration of the following items on the grounds that the business involved the likely disclosure of exempt information as defined in Paragraph 6 of Part I of Schedule 7(A) of the Act.

- | | | |
|------------|--|------------|
| 744 | Consideration of Taxi Driver Licence: James Moore | 744 |
| | <p>There was submitted a report by the Head of Legal & Democratic Services to consider a Taxi Driver's Licence held by Mr Moore which expires on 31 May 2012 following a request for suspension by Strathclyde Police. Mr Moore was present with his agent, Mr Lamb, Maitlands Solicitors. The Board heard Inspector Boyle in support of the suspension and Mr Lamb and Mr Moore in support of his licence.</p> <p>Decided: not to suspend Mr Moore's licence.</p> | |
| 745 | Application for Taxi Driver's Licence: Neil Williams | 745 |
| | <p>There was submitted a report by the Head of Legal & Democratic Services on an application for renewal of Taxi Driver's Licence by Mr Williams following a police objection. Mr Williams was present with his representative Mr Travers. The Board heard Inspector Boyle who intimated that CCTV evidence may be available to the Board at a later date and requested that the Board consider to continue the application.</p> <p>Decided: that the application be continued to a further meeting of the Board.</p> | |
| 746 | Application for Taxi Driver's Licence: Ronald Smallridge | 746 |
| | <p>There was submitted a report by the Head of Legal & Democratic Services on an application for Taxi Driver's Licence by Mr Smallridge following a police representation. Mr Smallridge was not present or represented.</p> <p>Decided: that the application be refused.</p> | |
| 747 | Application for Taxi Driver's Licence: Peter McGartland | 747 |
| | <p>There was submitted a report by the Head of Legal & Democratic Services on an application for a Taxi Driver's Licence by Mr McGartland following a police objection. Mr McGartland was not present or represented.</p> <p>Decided: that the application be refused.</p> | |
| 748 | Application for Taxi Driver's Licence: Stephen Docherty | 748 |
| | <p>There was submitted a report by the Head of Legal & Democratic Services on an</p> | |

GENERAL PURPOSES BOARD - 9 NOVEMBER 2011

application for a Taxi Driver's Licence by Mr Docherty following a police objection. Mr Docherty was present. The Board heard Inspector Boyle in support of the objection and Mr Docherty in support of his application.

Decided:

1. that the applicant undergo a medical to confirm he is drug-free;
2. two independent references be sought on behalf of the applicant; and
3. it be remitted to the Head of Legal & Democratic Services to consider a decision on the application once responses have been received.

749 Application for Taxi Driver's Licence: Gary Docherty**749**

There was submitted a report by the Head of Legal & Democratic Services on an application for renewal of Taxi Driver's Licence by Mr Docherty following a police representation. Mr Docherty was present. The Board heard Inspector Boyle in support of the representation and Mr Docherty in support of his application.

Decided: that the application be granted.