

LICENSING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 12 November 2019

Chair:

Councillor David Shearer

Councillors Present:

Councillor Alex Allison (*substitute for Councillor Poppy Corbett*), Councillor Janine Calikes (*substitute for Councillor Julia Marrs*), Councillor Stephanie Callaghan, Councillor Andy Carmichael, Councillor Maureen Devlin (*substitute for Councillor Martin Lennon*), Councillor Mary Donnelly, Councillor Grant Ferguson, Councillor George Greenshields, Councillor Mark Horsham, Councillor Martin Grant Hose, Councillor Richard Lockhart, Councillor Eileen Logan, Councillor Katy Loudon, Councillor Catherine McClymont, Councillor Mark McGeever, Councillor Jim McGuigan, Councillor Davie McLachlan, Councillor Gladys Miller, Councillor Lynne Nailon (*substitute for Councillor Kenny McCreary*), Councillor Richard Nelson, Councillor Graham Scott (*substitute for Councillor Lynsey Hamilton*), Councillor Jim Wardhaugh

Councillors' Apologies:

Councillor Poppy Corbett, Councillor Geri Gray, Councillor Lynsey Hamilton, Councillor Martin Lennon, Councillor Julia Marrs (Depute), Councillor Kenny McCreary, Councillor John Ross (ex officio), Councillor Bert Thomson

Attending:

Finance and Corporate Resources

C Lyon, Administration Officer; C McKee, Licensing and Registration Co-ordinator; G Mays, Solicitor; L Wyllie, Administration Assistant

Order of Business

The Committee decided: that the items of business be dealt with in the order minuted below.

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Licensing Committee held on 29 October 2019 were submitted for approval as a correct record.

The Committee decided: that the minutes be approved as a correct record.

3 Urgent Business

There were no items of urgent business.

4 Exclusion of Press and Public

The Committee decided: that, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, the press and public be excluded from the meeting for the following items of business on the grounds that it was likely that there would be disclosure of exempt information in terms of Paragraph 14 of Part I of Schedule 7A of the Act.

5 Civic Government (Scotland) Act 1982 (As Amended) – Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 170

A report dated 23 October 2019 by the Executive Director (Finance and Corporate Resources) was submitted:-

- ♦ advising on action taken, in terms of Standing Order No 36(c), in view of the timescales involved and a serious threat to public order or safety, by the Executive Director (Finance and Corporate Resources), in consultation with the Chair and an ex officio member, to order the immediate suspension of private hire car driver's licence No 170, with effect from 23 October 2019
- ♦ proposing that consideration be given to whether private hire car driver's licence No 170 should be suspended or revoked

In terms of the Civic Government (Scotland) Act 1982 (as amended), the opportunity of a hearing had been offered to the licence holder who was present and represented by P Farrell, Solicitor. A complaint had been received from Police Scotland and Sergeant Rankin was heard.

Councillor Lockhart, seconded by Councillor McClymont, moved that the licence be not suspended or revoked. Councillor Donnelly, seconded by Councillor Loudon, moved as an amendment that the licence be suspended with immediate effect for the remainder of the period of the licence. On a vote being taken by a show of hands, 4 members voted for the amendment and 19 for the motion which was declared carried.

The Committee decided:

- (1) that the action taken, in terms of Standing Order No 36(c), by the Executive Director (Finance and Corporate Resources), in consultation with the Chair and an ex officio member, to suspend private hire car driver's licence No 170, with effect from 23 October 2019, for a maximum period of 6 weeks, be noted; and
- (2) that private hire car driver's licence No 170 for the Cambuslang and Rutherglen zone be not suspended or revoked.

In terms of Standing Order No 13, the Chair adjourned the meeting after this item of business at 11.10am and reconvened at 11.30am. Councillor Greenshields was not present when the meeting reconvened

6 Civic Government (Scotland) Act 1982 (As Amended) – Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 812

A report dated 24 October 2019 by the Executive Director (Finance and Corporate Resources) was submitted proposing that consideration be given to whether private hire car driver's licence No 812 should be suspended or revoked.

In terms of the Civic Government (Scotland) Act 1982 (as amended), the opportunity of a hearing had been offered to the licence holder who was present and heard in support of retaining his licence. A letter of complaint had been received from Police Scotland and Sergeant Rankin was heard.

The Committee decided: that private hire car driver's licence No 812 for the Cambuslang and Rutherglen zone be suspended with immediate effect for the remainder of the period of the licence.

Councillor Donnelly left the meeting during this item of business

7 Civic Government (Scotland) Act 1982 (As Amended) – Application for Renewal of Private Hire Car Driver's Licence No 812

A report dated 24 October 2019 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the renewal of private hire car driver's licence No 812 in terms of the Civic Government (Scotland) Act 1982 (as amended).

In terms of the Civic Government (Scotland) Act 1982 (as amended), the opportunity of a hearing had been offered to the applicant who was present and heard in support his application. A representation had been received from Police Scotland and Sergeant Rankin was heard.

The Committee decided: that the application for the renewal of private hire car driver's licence No 812 in the Cambuslang and Rutherglen zone be refused.

8 Civic Government (Scotland) Act 1982 (As Amended) – Application for Grant of a Taxi Driver's Licence

A report dated 24 October 2019 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the grant of a taxi driver's licence in terms of the Civic Government (Scotland) Act 1982 (as amended).

In terms of the Civic Government (Scotland) Act 1982 (as amended), the opportunity of a hearing had been offered to the applicant who was present and heard in support of his application. A representation had been received from Police Scotland and Sergeant Rankin was heard.

The Committee decided: that the application by M Khan, Flat 1-2, 15 Windhill Crescent, Glasgow for a taxi driver's licence in the Cambuslang and Rutherglen zone be refused.