

LICENSING COMMITTEE

Minutes of meeting held via Microsoft Teams on 30 March 2021

Chair:

Councillor Julia Marrs (Depute)

Councillors Present:

Councillor John Bradley (*substitute for Councillor Gladys Miller*), Councillor Stephanie Callaghan, Councillor Andy Carmichael, Councillor Poppy Corbett, Councillor Margaret Cowie (*substitute for Councillor Martin Lennon*), Councillor Mary Donnelly, Councillor Grant Ferguson, Councillor Alistair Fulton, Councillor Lynsey Hamilton, Councillor Martin Grant Hose, Councillor Richard Lockhart, Councillor Eileen Logan, Councillor Kenny McCreary, Councillor Jim McGuigan, Councillor Graham Scott (*substitute for Councillor Catherine McClymont*), Councillor Collette Stevenson (*substitute for Councillor Mark Horsham*), Councillor Bert Thomson, Councillor Jim Wardhaugh

Councillors' Apologies:

Councillor Geri Gray, Councillor George Greenshields, Councillor Mark Horsham, Councillor Martin Lennon, Councillor Catherine McClymont, Councillor Mark McGeever, Councillor Davie McLachlan, Councillor Gladys Miller, Councillor Richard Nelson, Councillor John Ross (ex officio), Councillor David Shearer (Chair)

Attending:

Finance and Corporate Resources

C Lyon, Administration Officer; C McKee, Licensing and Registration Co-ordinator; P MacRae, Administration Adviser; G Mays, Legal Services' Adviser; L Wyllie, Administration Assistant

Chair's Opening Remarks

The Chair welcomed Councillor Fulton to his first meeting of the Licensing Committee and thanked Councillor Loudon for her contribution over the years.

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Licensing Committee held on 9 March 2021 were submitted for approval as a correct record.

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

3 Civic Government (Scotland) Act 1982 (As Amended) - Licensing of Taxis – Review of Taxi Fares

A report dated 23 February 2021 by the Executive Director (Finance and Corporate Resources) was submitted on further progress of the fares review in the Clydesdale, East Kilbride, Hamilton and Cambuslang and Rutherglen zones of South Lanarkshire.

In terms of Section 17 of the Civic Government (Scotland) Act 1982 (as amended by Section 174 of the Criminal Justice and Licensing (Scotland) Act 2010), there was a requirement for licensing authorities to review taxi fares in their area every 18 months.

At its meeting on 15 December 2020, this Committee agreed that, subject to any representations received, the fares review for the Cambuslang and Rutherglen, Clydesdale, East Kilbride and Hamilton zones would take place on the basis that there would be no increase in the current tariffs. The current tariffs were attached as Appendix 1 to the report.

The proposed Cambuslang and Rutherglen, Clydesdale, East Kilbride and Hamilton fares reviews had been advertised in the press and on the Council's website in accordance with the legislation and no responses had been received.

The Committee decided: that, on the basis that no objections or representations had been received following press and website adverts, there be no increase in the fares' tariffs for the Cambuslang and Rutherglen, Clydesdale, East Kilbride and Hamilton zones

[Reference: Minutes of 15 December 2020 (Paragraph 3)]

4 Urgent Business

There were no items of urgent business.

5 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 item 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.

6 Civic Government (Scotland) Act 1982 (As Amended) – Application for a Private Hire Car Driver's Licence

A report dated 11 March 2021 by the Executive Director (Finance and Corporate Resources) was submitted on an application for a private hire car 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 represented by M McDougall, Solicitor. An objection had been received from Police Scotland and Sergeant Rankin was heard.

Councillor Carmichael, seconded by Councillor Scott, moved that the application be refused. Councillor Callaghan, seconded by Councillor Wardhaugh, moved as an amendment that the application be granted. Councillor Ferguson, seconded by Councillor McGuigan, moved as a second amendment that the application be granted for a period of 1 year.

On a vote being taken by roll call, between the second amendment (moved by Councillor Ferguson, seconded by Councillor McGuigan), and the first amendment (moved by Councillor Callaghan, seconded by Councillor Wardhaugh), members voted as follows:-

First Amendment

Stephanie Callaghan, Jim Wardhaugh

Second Amendment

John Bradley, Andy Carmichael, Poppy Corbett, Margaret Cowie, Mary Donnelly, Grant Ferguson, Alistair Fulton, Lynsey Hamilton, Martin Grant Hose, Richard Lockhart, Eileen Logan, Kenny McCreary, Jim McGuigan, Julia Marrs, Graham Scott, Collette Stevenson, Bert Thomson

17 members voted for the second amendment and 2 for the first amendment. The second amendment was declared carried and placed against the motion. On a vote being taken by roll call, members voted as follows:-

Motion

John Bradley, Andy Carmichael, Poppy Corbett, Margaret Cowie, Mary Donnelly, Martin Grant Hose, Richard Lockhart, Kenny McCreary, Graham Scott, Bert Thomson

Amendment

Stephanie Callaghan, Grant Ferguson, Alistair Fulton, Lynsey Hamilton, Eileen Logan, Jim McGuigan, Julia Marrs, Collette Stevenson, Jim Wardhaugh

9 members voted for the amendment and 10 members voted for the motion which was declared carried.

The Committee decided:

that the application by A Tahir, 4 Carmyle Avenue, Glasgow for a private hire car driver's licence in the Cambuslang and Rutherglen zone be refused.

In terms of Standing Order No 13, the Chair adjourned the meeting during this item of business at 10.36am and reconvened at 10.41am to allow the applicant to confer with his solicitor