

# LICENSING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 7 July 2010

**Chair:**

Councillor Mary McNeill

**Councillors Present:**

Eileen Baxendale, Andy Carmichael, Jim Docherty, Lynn Filshie (Depute), Anne Higgins, Bill Holman, Eileen Logan, Clare McColl, Jean McKeown, Davie McLachlan, John McNamee, Alice Marie Mitchell, Patrick Ross-Taylor, Graham Scott, David Shearer, Hamish Stewart, Bert Thomson, Richard Tullett, David Watson

**Councillors' Apologies:**

Barry Douglas, Beith Forrest, Archie Manson, Edward McAvoy

**Attending:**

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

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## 1 Declaration of Interests

No interests were declared.

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## 2 Minutes of Previous Meeting

The minutes of the meeting of the Licensing Committee held on 9 June 2010 were submitted for approval as a correct record.

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

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## 3 Civic Government (Scotland) Act 1982 - Application for Grant of a Street Trader's Licence - S Brown, 8 Spiers Road, Lochwinnoch

A report dated 22 June 2010 by the Executive Director (Corporate Resources) was submitted on an application for a street trader's licence in terms of the Civic Government (Scotland) Act 1982.

In terms of Section 39(4) of the Civic Government (Scotland) Act 1982, it was noted that, as no certificate of compliance had been submitted with the application for the vehicle from which the food was to be sold, the only option open to the Committee was to refuse the application.

**The Committee decided:** that the application by S Brown, 8 Spiers Road, Lochwinnoch for a street trader's licence for the sale of ice cream, soft drinks and confectionery in the Rutherglen and Cambuslang areas be refused.

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## 4 Urgent Business

There were no items of urgent business.

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## **5 Exclusion of Press and Public**

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**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(s) 6 and 14 of Part I of Schedule 7A of the Act.

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## **6 Civic Government (Scotland) Act 1982 - Application for Variation of Market Operator's Licence - Lanarkshire Farmers' Market Limited and T Gibson, Nellfield House, off Boghall Road, Braidwood, Carluke**

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A report dated 22 June 2010 by the Executive Director (Corporate Resources) was submitted on an application for the variation of market operator's licence No 2 previously granted by the Council under the Civic Government (Scotland) Act 1982.

The applicant had requested that:-

- ♦ the areas of trade be amended as follows:-
  - ♦ Bothwell Community Hall, Ballgreen Community Hall, Strathaven and King Street, Stonehouse to be removed
  - ♦ Sainsbury's superstore car park, Kirk Street, Strathaven to be added
- ♦ for September only, the Hamilton date be changed from the third to the fourth Saturday

In terms of the Act, the opportunity of a hearing had been offered to the applicant who was present and heard in support of the application.

In addition, the Solicitor also referred to a letter dated 12 May 2010 received from Lanarkshire Farmers' Market Limited which had not been included with the agenda papers.

**The Committee decided:** that the application by Lanarkshire Farmers' Market Limited and T Gibson to vary the terms of market operator's licence No 2 be granted.

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## **7 Civic Government (Scotland) Act 1982 - Application for a Private Hire Car Driver's Licence - A Dunlop, 22 Troon Avenue, Greenhills, East Kilbride**

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A report dated 22 June 2010 by the Executive Director (Corporate Resources) was submitted on an application for a private hire car driver's licence in terms of the Civic Government (Scotland) Act 1982.

The applicant had advised that he was unable to attend the hearing on this date.

**The Committee decided:** that consideration of the application by A Dunlop for a private hire car driver's licence in the East Kilbride zone be continued to the next meeting of this Committee to allow the applicant to be present.