

LICENSING COMMITTEE

Minutes of meeting held via Microsoft Teams on 4 May 2021

Chair:

Councillor David Shearer

Councillors Present:

Councillor Andy Carmichael, Councillor Poppy Corbett, Councillor Grant Ferguson, Councillor Alistair Fulton, Councillor George Greenshields, Councillor Lynsey Hamilton, Councillor Mark Horsham, Councillor Martin Lennon, Councillor Richard Lockhart, Councillor Eileen Logan, Councillor Julia Marrs (Depute), Councillor Catherine McClymont, Councillor Kenny McCreary, Councillor Jim McGuigan, Councillor Davie McLachlan, Councillor Gladys Miller, Councillor Bert Thomson, Councillor Jim Wardhaugh, Councillor Jared Wark (*substitute for Councillor Richard Nelson*)

Councillors' Apologies:

Councillor Stephanie Callaghan, Councillor Mary Donnelly, Councillor Geri Gray, Councillor Martin Grant Hose, Councillor Mark McGeever, Councillor Richard Nelson, Councillor John Ross (ex officio)

Attending:

Finance and Corporate Resources

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

1 Declaration of Interests

The following interest was declared.

Councillor(s)	Item(s)	Nature of Interest(s)
Horsham	Civic Government (Scotland) Act 1982 (as amended) – Application for Grant of a Second-Hand Dealer's Licence	Known to applicant

2 Minutes of Previous Meeting

The minutes of the meeting of the Licensing Committee held on 30 March 2021 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 Paragraphs 6 and 14 of Part I of Schedule 7A of the Act.

5 Civic Government (Scotland) Act 1982 (As Amended) – Application for Grant of a Second-Hand Dealer's Licence

A report dated 15 April 2021 by the Executive Director (Finance and Corporate Resources) was submitted on an application for a second-hand dealer'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 not present but represented by T Burch in support of his application.

An objection had been received from C Brown, local resident, who was heard.

The Committee decided: that the following application for a second-hand dealer's licence be granted subject to the conditions specified by the Executive Director (Finance and Corporate Resources):-

Applicant:	Harwood Vehicle Services Limited and J Harwood, 50 Braeside Crescent, Kirkmuirhill
Type of Licence:	Second-hand dealer
Premises:	50 Braeside Crescent, Kirkmuirhill
Days/Hours Requested:	Monday to Friday evenings Weekends by appointment only
Days/Hours Granted:	Monday to Friday from 6.00pm to 9.00pm Saturday and Sunday terminal hour 9.00pm
Additional Condition:	Only one vehicle for sale at the premises at any one time

Councillor Horsham, having declared an interest in the above item of business, withdrew from the meeting during its consideration. Councillor Thomson left the meeting following this item of business

6 Civic Government (Scotland) Act 1982 (As Amended) – Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 661

A report dated 6 April 2021 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 661, with effect from 6 April 2021
- ♦ proposing that consideration be given to whether private hire car driver's licence No 661 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. Y Tedla was in attendance to support the licence holder. A complaint had been received from Police Scotland and Sergeant Rankin was heard.

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 661, with effect from 6 April 2021, for a maximum period of 6 weeks, be noted; and
- (2) that private hire car driver's licence No 661 for the Cambuslang and Rutherglen zone be suspended with immediate effect for the remainder of the period of licence.