

LICENSING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 6 March 2018

Chair:

Councillor David Shearer

Councillors Present:

John Bradley, Stephanie Callaghan, Andy Carmichael, Poppy Corbett, Maureen Devlin (*substitute for Councillor McLachlan*), Mary Donnelly, George Greenshields, Lynsey Hamilton, Mark Horsham, Martin Grant Hose, Martin Lennon, Richard Lockhart, Eileen Logan, Katy Loudon, Joe Lowe, Catherine McClymont, Kenny McCreary, Mark McGeever, Julia Marrs (Depute), Bert Thomson, Josh Wilson

Councillors' Apologies:

Geri Gray, Jim McGuigan, Davie McLachlan, Gladys Miller, John Ross (ex officio)

Attending:

Finance and Corporate Resources

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

1 Declaration of Interests

The following interests were declared:-

Councillor(s)	Item(s)	Nature of Interest(s)
Carmichael and Shearer	Civic Government (Scotland) Act 1982 (as amended) Application for Second-Hand Dealer Licence	Known to late objector and known to the applicant respectively

2 Minutes of Previous Meeting

The minutes of the meeting of the Licensing Committee held on 20 February 2018 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.

Councillor Callaghan entered the meeting after this item of business

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

A report dated 26 February 2018 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 present. The following had been received:-

- ◆ comments from Planning and Building Standards Services
- ◆ a report from the Civic Licensing Standards Officer
- ◆ objections from W Layden
- ◆ a late objection from R Frame and the reason for the lateness of the objection was heard

Councillor McClymont, seconded by Councillor Hamilton, moved that the reason for lateness of the objection be accepted. Councillor Wilson, seconded by Councillor Donnelly, moved as an amendment that the reason for the lateness of the objection be not accepted. On a vote being taken by a show of hands, 12 members voted for the amendment and 7 for the motion. The amendment was declared carried.

As the reason for the lateness of the objection was not accepted, R Frame left the meeting and his objection was not considered.

In terms of the Civic Government (Scotland) Act 1982 (as amended), the applicant was heard in support of his application. M Clinton, Civic Licensing Standards Officer was also heard.

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

Applicant:	K O'Hara, Rosehill House, Ashgill
Type of Licence:	Second-hand dealer
Premises:	Rosehill House, Ashgill
Days/Hours Requested:	Monday to Sunday from 9.00am to 6.00pm
Days/Hours Granted:	Monday to Sunday from 9.00am to 6.00pm
Additional Condition:	A maximum of 2 cars allowed on premises for sale at any given time

Councillor Shearer, having declared an interest in the above item of business, withdrew from the meeting during its consideration. Councillor Marrs took the Chair for this item only. Councillor Carmichael, being known to the late objector, declared an interest and left the meeting during consideration of the reason for the lateness of the objection. Following confirmation that the late objection would not be considered by the Committee, Councillor Carmichael re-entered the meeting

6 Civic Government (Scotland) Act 1982 (As Amended) - Application for a Taxi Driver's Licence

A report dated 15 February 2018 by the Executive Director (Finance and Corporate Resources) was submitted on an application for 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. An observation had been received from Police Scotland and Inspector McGovern was heard.

The Committee decided: that the application by S Taylor, 170 Kirktonholme Road, East Kilbride for a taxi driver's licence in the East Kilbride zone be granted.