

LICENSING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 8 May 2018

Chair:

Councillor David Shearer

Councillors Present:

John Bradley, Walter Brogan (*substitute for Councillor Logan*), Stephanie Callaghan, Andy Carmichael, Poppy Corbett, Maureen Devlin (*substitute for Councillor McLachlan*), Mary Donnelly, Geri Gray, George Greenshields, Lynsey Hamilton, Mark Horsham, Martin Grant Hose, Martin Lennon, Richard Lockhart, Katy Loudon, Catherine McClymont, Kenny McCreary, Mark McGeever, Bert Thomson

Councillors' Apologies:

Eileen Logan, Joe Lowe, Jim McGuigan, Davie McLachlan, Julia Marrs (Depute), Gladys Miller, John Ross, Josh Wilson

Attending:

Finance and Corporate Resources

C Lyon, Administration Officer; C McKee, Licensing and Registration Co-ordinator; T Stone, Licensing and Registration Manager; L Wyllie, Administration Assistant

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Licensing Committee held on 27 March 2018 were submitted for approval as a correct record.

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

3 Minutes of Special Meeting

The minutes of the special meeting of the Licensing Committee held on 19 March 2018 were submitted for approval as a correct record.

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

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 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.

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

A report dated 18 April 2018 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 heard in support of his application.

The Committee decided: that the application by A Manaf, 30 Bramley Drive, Bellshill for a private hire car driver's licence in the East Kilbride zone be granted.

Councillor Callaghan entered the meeting after this item of business

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

A report dated 27 March 2018 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).

At its meeting on 27 March 2018, the Committee had decided that further details be requested from Police Scotland in respect of the applicant's protected convictions to allow it to consider the application.

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. W Gillan was also heard in support of the application. A representation had been received from Police Scotland and Sergeant Tomlinson was heard.

The Committee decided: that the application by T Gillan, 9 Sutherland Avenue, Stonehouse for a private hire car driver's licence in the Hamilton zone be granted.

[Reference: Minutes of 27 March 2018 (Paragraph 6)]

8 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Taxi Driver's Licence No 181

A report dated 19 April 2018 by the Executive Director (Finance and Corporate Resources) was submitted proposing that consideration be given to whether taxi driver's licence No 181 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 A Murray, Solicitor Advocat. A letter of complaint had been received from Police Scotland and Sergeant Tomlinson was heard.

Councillor Loudon, seconded by Councillor Lennon, moved that the licence be suspended with immediate effect for the remainder of the period of the licence. Councillor Lockhart, seconded by Councillor Corbett, moved as an amendment that the licence be not suspended or revoked and that the licence holder be given a verbal warning. On a vote being taken by a show of hands, 7 members voted for the amendment and 11 for the motion which was declared carried.

The Committee decided: that taxi driver's licence No 181 for the Hamilton zone be suspended with immediate effect for the remainder of the period of the licence.