

LICENSING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 8 September 2010

Chair:

Councillor Mary McNeill

Councillors Present:

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

Councillors' Apologies:

Andy Carmichael, Barry Douglas, Edward McAvoy, Davie McLachlan, David Shearer

Attending:**Corporate Resources**

C Lyon, Administration Officer; L Robertson, Registrar/Team Leader; 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 7 July 2010 were submitted for approval as a correct record.

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

3 Minutes of Public Processions Panel

The minutes of the meeting of the Public Processions Panel held on 28 June 2010 were submitted for approval as a correct record.

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

4 Civic Government (Scotland) Act 1982 - Licensing of Second-Hand Dealers

A report dated 10 August 2010 by the Executive Director (Corporate Resources) was submitted on proposed amendments and additions to the Council's Resolution on Licensing of Second-Hand Dealers. It was proposed that additional second-hand goods be included in the Resolution as follows:-

- ◆ Motor vehicles, motor spares and parts – add including tyres
- ◆ Motor cycles and parts thereof - add including tyres
- ◆ Furniture - add including mattresses, headboards, pillows and cushions
- ◆ Clothing

It was also proposed that the following amendments be made:-

- ◆ Video recorders and DVD players - amend to audio/video players and recorders
- ◆ Computer hardware and software including hand held computer games – amend to computer hardware, games hardware and related software
- ◆ DVDs, video cassettes and other recording or playback audio mediums – amend to DVDs, CDs and other audio/video playback or recording mediums

In terms of Section 9 of the Civic Government (Scotland) Act 1982, appropriate notice would require to be given in the press for a statutory period of 28 days. On completion of that process, a further report requesting approval of the Final Resolution on Licensing of Second-Hand Dealers would be submitted to Committee.

The Committee decided:

- (1) that second-hand dealing in the additional goods listed above be now licensed;
- (2) that the amendments to categorisation of goods, as listed above, be approved; and
- (3) that the draft Resolution on Licensing of Second-Hand Dealers, as detailed in the appendix to the report, be approved.

[Reference: Minutes of 19 January 2005 (Paragraph 3)]

5 Urgent Business

There were no items of urgent business.

6 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 Paragraph(s) 6 and 14 of Part I of Schedule 7A of the Act.
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7 Civic Government (Scotland) Act 1982 - Application for Grant of a Late Hours Catering Licence - ROC UK Limited and G Murray, 11 Disraeli Way, East Kilbride in respect of Stonehouse Service Station, Strathaven Road, Stonehouse

A report dated 4 August 2010 by the Executive Director (Corporate Resources) was submitted on an application for a late hours catering licence in terms of the Civic Government (Scotland) Act 1982.

In terms of the Act, the opportunity of a hearing had been offered to the applicant who was not present but was represented by N Hazard, solicitor, who was heard in support of the application.

Councillor McNeill, seconded by Councillor Filshie, moved that the application be granted. Councillor A M Mitchell, seconded by Councillor McNamee, moved as an amendment that the application be granted for a period of 1 year only. On a vote being taken by a show of hands, 3 members voted for the amendment and 16 for the motion which was declared carried.

The Committee decided: that the following application be granted subject to the conditions specified by the Executive Director (Corporate Resources):-

Applicant: ROC UK Limited and G Murray, 11 Disraeli Way, East Kilbride
Type of Licence: Late hours catering for the sale of sandwiches, snacks, tea and coffee
Premises: Stonehouse Service Station, Strathaven Road, Stonehouse
Days/Hours Requested: Monday to Sunday from 11.00pm to 5.00am
Days/Hours Granted: Monday to Sunday from 11.00pm to 5.00am

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

A report dated 10 August 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.

At its meeting on 7 July 2010, this Committee had decided that consideration of the application be continued to a future meeting to allow the applicant to be present.

In terms of the Act, the opportunity of a hearing had been offered to the applicant who was present and heard in support of his application. A representation had been received from Strathclyde Police and Inspector Aitken was heard.

The Committee decided: that the application by A Dunlop, 22 Troon Avenue, Greenhills, East Kilbride for a private hire car driver's licence in the Rutherglen and Cambuslang zone be granted for a period of 1 year.

[Reference: Minutes of 7 July 2010 (Paragraph 7)]

9 Civic Government (Scotland) Act 1982 - Application for a Taxi Driver's Licence - P Keir, 32 Linndale Drive, Glasgow

A report dated 10 August 2010 by the Executive Director (Corporate Resources) was submitted on an application for a taxi driver's licence in terms of the Civic Government (Scotland) Act 1982.

In terms of the Act, the opportunity of a hearing had been offered to the applicant who was present and heard in support of his application. A late representation had been received from Strathclyde Police. The reason for the lateness of the representation was accepted and Inspector Aitken was heard on behalf of Strathclyde Police.

The Committee decided: that the application by P Keir, 32 Linndale Drive, Glasgow for a taxi driver's licence in the Rutherglen and Cambuslang zone be refused.

10 Civic Government (Scotland) Act 1982 - Application for a Taxi Driver's Licence - J Coady, 39 Thornielee, Calderwood, East Kilbride

A report dated 20 August 2010 by the Executive Director (Corporate Resources) was submitted on an application for a taxi driver's licence in terms of the Civic Government (Scotland) Act 1982.

In terms of the Act, the opportunity of a hearing had been offered to the applicant who was present and heard in support of his application. A representation had been received from Strathclyde Police and Inspector Aitken was heard.

The Committee decided: that the application by J Coady, 39 Thornielee, Calderwood, East Kilbride for a taxi driver's licence in the East Kilbride zone be granted for a period of 1 year.