

LICENSING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 3 September 2019

Chair:

Councillor David Shearer

Councillors Present:

Councillor Alex Allison (*substitute for Councillor Poppy Corbett*), Councillor Stephanie Callaghan, Councillor Andy Carmichael, Councillor Mary Donnelly, Councillor George Greenshields, Councillor Lynsey Hamilton, Councillor Mark Horsham, Councillor Martin Grant Hose, Councillor Martin Lennon, Councillor Eileen Logan, Councillor Katy Loudon, Councillor Catherine McClymont, Councillor Kenny McCreary, Councillor Mark McGeever, Councillor Richard Nelson, Councillor Mo Razzaq (*substitute for Councillor Davie McLachlan*), Councillor Bert Thomson, Councillor Jim Wardhaugh

Councillors' Apologies:

Councillor Poppy Corbett, Councillor Geri Gray, Councillor Jim McGuigan, Councillor Davie McLachlan, Councillor Julia Marrs (Depute), Councillor Gladys Miller, Councillor John Ross (ex officio)

Attending:

Finance and Corporate Resources

C Lyon, Administration Officer; C McKee, Licensing and Registration Co-ordinator; G Mays, Legal Services' Adviser; 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 20 August 2019 were submitted for approval as a correct record.

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

3 Civic Government (Scotland) Act 1982 (As Amended) – Applications to Vary the Terms of Public Entertainment Licences

A report dated 15 August 2019 by the Executive Director (Finance and Corporate Resources) was submitted on the following 21 applications to vary the terms of public entertainment licences in terms of the Civic Government (Scotland) Act 1982 (as amended):-

- ♦ Biggar Municipal Hall, 5 Kirkstyle, Biggar
- ♦ South Lanarkshire Lifestyles Carlisle, Carnwath Road, Carlisle
- ♦ Ballerup Hall, Civic Centre, Andrew Street, East Kilbride
- ♦ Calderwood Hall, Blackbraes Road, East Kilbride
- ♦ Chapelton Hall, 35 Main Street, Chapelton
- ♦ Glassford Hall, 21 Alston Street, Glassford
- ♦ Greenhills Hall, 14 Greenhills Square, East Kilbride
- ♦ Westwood Hall, Riverton Drive, East Kilbride

- ◆ South Lanarkshire Lifestyles East Kilbride (formerly Murray Owen Centre), 1 Liddell Grove, East Kilbride
- ◆ Low Waters Hall, 2 Eliot Crescent, Hamilton
- ◆ Burnbank Centre, 84 Burnbank Centre, Hamilton
- ◆ Ferniegair Public Hall, 150 Carlisle Road, Ferniegair
- ◆ Bothwell Community Hall, 15 Fallside Road, Bothwell
- ◆ David Milne Centre, 83 Old Mill Road, Uddingston
- ◆ Larkfield Neighbourhood Hall, 150 Stonefield Road, Blantyre
- ◆ Eddlewood Public Hall, Birkhill Road, 313 Strathaven Road, Hamilton
- ◆ High Blantyre Hall, 22 Cemetery Road, High Blantyre
- ◆ Whitehill Neighbourhood Centre, Hunter Road, Hamilton
- ◆ South Lanarkshire Lifestyles Fairhill, Neilsland Road, Hamilton
- ◆ Cambuslang Institute, Greenlees Road, Cambuslang
- ◆ Westburn Community Hall, Northbank Avenue, Cambuslang

The Committee decided: that the 21 applications for variation of licences, as detailed in the schedules attached to the report, be granted subject to the conditions specified by the Executive Director (Finance and Corporate Resources).

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 Paragraph 14 of Part I of Schedule 7A of the Act.

6 Civic Government (Scotland) Act 1982 (As Amended) – Application for the Renewal of Second-Hand Dealer’s Licence No 34

A report dated 15 August 2019 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the renewal of second-hand dealer’s licence No 34 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 her application. A representation had been received from Police Scotland, together with an additional update, and Inspector Hamilton was heard.

Comments had been received from Consumer and Trading Standards and D Grierson, Consumer and Trading Standards Officer was heard.

Councillor Callaghan, seconded by Councillor Donnelly, moved that the application be refused. Councillor Logan, seconded by Councillor Wardhaugh, moved as an amendment that the application be granted for a period of 1 year. On a vote being taken by a show of hands, 4 members voted for the amendment and 15 for the motion which was declared carried.

The Committee decided: that the application for the renewal of second-hand dealer's licence No 34 in the Hamilton zone be refused.

Councillor McClymont left the meeting after this item of business

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

A report dated 15 August 2019 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the grant of 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 not present or represented. A representation had been received from Police Scotland, together with an additional update.

The Legal Services' Adviser intimated that the applicant was unable to attend today's hearing, however, had requested that the application be dealt with in his absence.

Councillor Shearer, seconded by Councillor Carmichael, moved that the application be dealt with under written submissions. Councillor Hamilton, seconded by Councillor Donnelly, moved as an amendment that the application be continued to a future meeting of this Committee to allow the applicant the opportunity to be present. On a vote being taken by a show of hands, 10 members voted for the amendment and 8 for the motion. The amendment was declared carried.

The Committee decided: that the application by R Hickinson, 22 Mansefield Crescent, Strathaven for a private hire car driver's licence in the East Kilbride zone be continued to a future meeting of this Committee to allow the applicant the opportunity to be present.