

LICENSING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 12 June 2018

Chair:

Councillor David Shearer

Councillors Present:

John Bradley, Stephanie Callaghan, Andy Carmichael, Margaret Cowie (*substitute for Councillor McLachlan*), Mary Donnelly, Joe Fagan (*substitute for Councillor Logan*), Geri Gray, George Greenshields, Lynsey Hamilton, Mark Horsham, Martin Lennon, Richard Lockhart, Catherine McClymont, Kenny McCreary, Mark McGeever, Julia Marrs (Depute), Gladys Miller, Collette Stevenson (*substitute for Councillor Loudon*), Josh Wilson

Councillors' Apologies:

Poppy Corbett, Martin Grant Hose, Eileen Logan, Katy Loudon, Joe Lowe, Jim McGuigan, Davie McLachlan, John Ross (ex officio), Bert Thomson

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

Order of Business

The Committee decided:	that the items of business be dealt with in the order minuted below.
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1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Licensing Committee held on 22 May 2018 were submitted for approval as a correct record.

The Committee decided:	that the minutes be approved as a correct record.
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3 Minutes of Public Processions Panel

The minutes of the meeting of the Public Processions Panel held on 31 May 2018 were submitted for approval as a correct record.

The Committee decided:	that consideration of the minutes be continued to the next meeting of this Committee to allow those members of the Panel to be present to approve them as a correct record.
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4 Civic Government (Scotland) Act 1982 (As Amended) - Taxis/Private Hire Cars - Carriage of Assistance Dogs

A report dated 15 May 2018 by the Executive Director (Finance and Corporate Resources) was submitted on a proposal to adopt a policy in relation to the carriage of assistance dogs in taxis and private hire cars.

In terms of the Taxi Drivers' Licences (Carrying of Guide Dogs) (Scotland) Regulations 2003 and the Private Hire Car Drivers' Licences (Carrying of Guide Dogs and Hearing Dogs) (Scotland) Regulations 2004, all taxi and private hire car drivers were required to carry an assistance dog unless they had received an exemption from the licensing authority.

At present, the Council had issued 7 exemptions on the carriage of assistance dogs in the form of an embossed certificate.

A request had been received from Guide Dogs for the Blind that the Council adopt the contents of their policy document which was attached as an appendix to the report. However, on examination of the policy, some areas required to be amended to ensure it was in line with current Scottish legislation and capable of being enforced. The amendments required were detailed in paragraph 4.3 of the report.

Disability equality training, which included information in relation to the carriage of assistance dogs, was currently available to taxi drivers. It was proposed that this training be extended to include private hire car drivers. All new private hire car driver applicants from 1 January 2019 would be required to undertake the training.

The Committee decided:

- (1) that the policy document submitted by the Guide Dogs for the Blind organisation be approved, subject to the amendments detailed in paragraph 4.3 of the report, and implemented from 1 January 2019; and
- (2) that the current training undergone by taxi drivers be extended to new private hire car drivers from 1 January 2019.

5 Civic Government (Scotland) Act 1982 (As Amended) - Licensing of Places of Public Entertainment

A report dated 16 May 2018 by the Executive Director (Finance and Corporate Resources) was submitted requesting approval for the final Resolution, as amended, for the Licensing of Places of Public Entertainment.

At its meeting on 27 March 2018, the Committee approved the draft Public Entertainment Resolution. The draft Resolution had been advertised in the press for the period from 11 April 2018 to 11 May 2018. No objections or representations had been received in response to the draft Resolution.

The Committee decided: that the final Resolution, as amended, for the Licensing of Places of Public Entertainment, as detailed in Appendix 1 to the report, be approved.

[Reference: Minutes of 27 March 2018 (Paragraph 3)]

6 Urgent Business

There were no items of urgent business.

7 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.

8 Civic Government (Scotland) Act 1982 (As Amended) - Application for a Skin Piercing and Tattoo Licence - Protected Convictions

A report dated 15 May 2018 by the Executive Director (Finance and Corporate Resources) was submitted on an application for a skin piercing and tattoo licence in terms of the Civic Government (Scotland) Act 1982 (as amended).

In the interests of justice, it was considered that protected convictions might require to be taken into account in dealing with any application for a licence. After consideration of the number, nature and age of the applicant's protected convictions, it was proposed that consideration of the application be continued to allow further information on the applicant's protected convictions to be obtained.

The Committee decided: that detailed information be requested on the protected convictions of the applicant to allow full consideration of the application for a skin piercing and tattoo licence.

9 Civic Government (Scotland) Act 1982 (As Amended) - Application to Vary the Terms of Public Entertainment Licence No 022

A report dated 14 May 2018 by the Executive Director (Finance and Corporate Resources) was submitted on an application to vary the terms of public entertainment licence No 022 in terms of the Civic Government (Scotland) Act 1982 (as amended).

The Committee decided: that the following application for variation of licence be granted subject to the conditions specified by the Executive Director (Finance and Corporate Resources):-

Applicant:	South Lanarkshire Leisure and Culture Limited and G Campbell
Type of Licence:	Public Entertainment
Premises:	John Wright Sports Centre, Calderwood Road, East Kilbride
Current Days/Hours:	Monday to Sunday from 8.00am to 1.00am (as and when required)
Days/Hours Requested:	Monday to Sunday from 7.00am to 1.00am (as and when required)
Days/Hours Granted:	Monday to Sunday from 7.00am to 1.00am (as and when required)

10 Civic Government (Scotland) Act 1982 (As Amended) - Application to Vary the Terms of Indoor Sports Entertainment Licence No 001

A report dated 14 May 2018 by the Executive Director (Finance and Corporate Resources) was submitted on an application to vary the terms of indoor sports entertainment licence No 001 in terms of the Civic Government (Scotland) Act 1982 (as amended).

The Committee decided: that the following application for variation of licence be granted subject to the conditions specified by the Executive Director (Finance and Corporate Resources):-

Applicant:	South Lanarkshire Leisure and Culture Limited and G Campbell
Type of Licence:	Indoor Sports Entertainment
Premises:	John Wright Sports Centre, Calderwood Road, East Kilbride
Current Days/Hours:	Monday to Sunday from 8.00am to 1.00am (as and when required)
Days/Hours Requested:	Monday to Sunday from 7.00am to 1.00am (as and when required)
Days/Hours Granted:	Monday to Sunday from 7.00am to 1.00am (as and when required)

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

A report dated 16 May 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. A representation had been received from Police Scotland and Sergeant Tomlinson was heard.

Councillor Carmichael, seconded by Councillor Callaghan, moved that the application be refused. Councillor McClymont, seconded by Councillor Stevenson, 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, 8 members voted for the amendment and 12 for the motion which was declared carried.

The Committee decided: that the application by T Loudon, 35 Muirbrae Road, Rutherglen for a private hire car driver's licence in the Cambuslang and Rutherglen zone be refused.

In terms of Standing Order No 13, the Chair adjourned the meeting during consideration of this item of business at 10.30am and reconvened at 10.40am

12 Civic Government (Scotland) Act 1982 (As Amended) - Application for a Late Hours Catering Licence

A report dated 16 May 2018 by the Executive Director (Finance and Corporate Resources) was submitted on an application for a late hours catering 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. A Shafiq was also heard.

The Committee decided:

that the following application for a late hours catering licence be granted subject to the conditions specified by the Executive Director (Finance and Corporate Resources):-

Applicant:	L Singh, 1/3, 71 Glenavon Road, Glasgow
Type of Licence:	Late hours catering
Premises:	Sugar and Spice, 27 Townhead Street, Hamilton
Days/Hours Requested:	Sunday to Thursday from 11.00pm to 1.00am Friday and Saturday from 11.00pm to 3.30am
Days/Hours Granted:	Sunday to Thursday from 11.00pm to 1.00am Friday and Saturday from 11.00pm to 3.30am