



Council Offices, Almada Street
Hamilton, ML3 0AA

Monday, 11 September 2023

Dear Councillor

Licensing Committee

The Members listed below are requested to attend a meeting of the above Committee to be held as follows:-

Date: Tuesday, 19 September 2023
Time: 10:00
Venue: Hybrid - Committee Room 1, Council Offices, Almada Street, Hamilton, ML3 0AA

The business to be considered at the meeting is listed overleaf.

Yours sincerely

Cleland Sneddon
Chief Executive

Members

Andy Carmichael (Chair), Bert Thomson (Depute Chair), Joe Fagan (ex officio), Poppy Corbett, Mary Donnelly, Julia Marrs, Monique McAdams, Mark McGeever, David Shearer, Helen Toner

Substitutes

Robert Brown, Janine Calikes, Margaret Cowie, Mark Horsham, Kenny McCreary, Davie McLachlan

BUSINESS

1 Declaration of Interests

2 Minutes of Previous Meeting

5 - 8

Minutes of the meeting of the Licensing Committee held on 29 August 2023 submitted for approval as a correct record. (Copy attached)

Urgent Business

3 Urgent Business

Any other items of business which the Chair decides are urgent.

Exclusion of Press and Public

4 Exclusion of Press and Public

It is recommended that the Committee makes the following resolution:-

"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 item(s) of business on the grounds that it is likely that there will be disclosure of exempt information in terms of Paragraphs 6 and 14 of Part I of Schedule 7A of the Act."

Item(s) for Decision

5 Civic Government (Scotland) Act 1982 (As Amended) - Application for Renewal of Private Hire Car Driver's Licence No 293

- Exempt information in terms of Paragraph 14 of Part I of Schedule 7A of the Act

6 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 741

- Exempt information in terms of Paragraph 14 of Part I of Schedule 7A of the Act

7 Civic Government (Scotland) Act 1982 (As Amended) - Application for Renewal of Private Hire Car Operator's Licence No 1213

- Exempt information in terms of Paragraph 14 of Part I of Schedule 7A of the Act

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

- Exempt information in terms of Paragraph 6 of Part I of Schedule 7A of the Act

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

- Exempt information in terms of Paragraph 6 of Part I of Schedule 7A of the Act

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

- Exempt information in terms of Paragraph 6 of Part I of Schedule 7A of the Act

For further information, please contact:-

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LICENSING COMMITTEE

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Minutes of meeting held via Confero and in Committee Room 1, Council Offices, Almada Street, Hamilton on 29 August 2023

Chair:

Councillor Andy Carmichael

Councillors Present:

Councillor Margaret Cowie (*substitute for Councillor Monique McAdams*), Councillor Mary Donnelly, Councillor Julia Marrs, Councillor Kenny McCreary (*substitute for Councillor Poppy Corbett*), Councillor Mark McGeever, Councillor David Shearer, Councillor Bert Thomson (Depute), Councillor Helen Toner

Councillors' Apologies:

Councillor Poppy Corbett, Councillor Joe Fagan (ex officio), Councillor Monique McAdams

Attending:

Finance and Corporate Resources

M Gordon, Administration Assistant; C Lyon, Administration Officer; G Mays, Legal Services' Adviser; C McKee, Licensing and Registration Co-ordinator; S O'Neill, Solicitor (*for Items 1 to 7 only*); L Wyllie, Administration Assistant

1 Declaration of Interests

The following interest was declared:-

Councillor(s)	Item(s)	Nature of Interest(s)
Cowie	Civic Government (Scotland) Act 1982 (As Amended) - Application for Grant of Private Hire Car Driver's Licence	Known to applicant

2 Minutes of Previous Meeting

The minutes of the meeting of the Licensing Committee held on 15 August 2023 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 Paragraph 14 of Part I of Schedule 7A of the Act.

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

A report dated 10 August 2023 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 present and heard in support of his application. A representation had been received from Police Scotland and Sergeant Brown was heard.

The Committee decided: that the application by C Duffy, 23 Nevis Avenue, Hamilton for the grant of a private hire car driver's licence in the Hamilton zone be granted for a period of 1 year.

Councillor Cowie, having declared an interest in the above item of business, withdrew from the meeting during its consideration

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

A report dated 10 August 2023 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 present and accompanied by M Bashir. An objection had been received from Police Scotland and Sergeant Brown was heard.

The Committee decided: that the application by S Hussain, 40 Grant Street, Glasgow for the grant of a private hire car driver's licence in the Cambuslang and Rutherglen zone be refused.

Councillor McCreary, having experienced technical difficulties during this item of business, did not take part in the above item only

7 Civic Government (Scotland) Act 1982 (As Amended) – Consideration of Request to Lift Suspension of Private Hire Car Driver's Licence No 383

A report dated 10 August 2023 by the Executive Director (Finance and Corporate Resources) was submitted proposing that consideration be given to whether the suspension of private hire car driver's licence No 383 be lifted.

On 23 November 2021, the Committee had suspended the licence with immediate effect for the remainder of the period of licence.

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 accompanied by N Rauf.

An email had also been received from the applicant enclosing a letter from his solicitor.

The Committee decided: that that suspension of private hire car driver's licence No 383 be recalled with effect from 29 August 2023.

[Reference: Minutes of 23 November 2021 (Paragraph 10)]

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

A report dated 10 August 2023 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. An objection had been received from Police Scotland.

The Legal Services' Adviser intimated that an additional late objection had also been received from Police Scotland. The reason for the lateness of the objection was accepted and the information was circulated to members.

As the applicant was not present, the Legal Services' Adviser intimated that the hearing could be continued to a future meeting to allow the applicant a further opportunity to be present or could be dealt with in the applicant's absence.

Following discussion, the Committee agreed that the application should be dealt with without the applicant present.

The Committee decided: that the application by K Ghebrebrhan, Flat 0/2, 14 Glenkirk Drive, Glasgow for the grant of a private hire car driver's licence in the Cambuslang and Rutherglen be refused.

