

## LICENSING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 12 December 2017

**Chair:**

Councillor David Shearer

**Councillors Present:**

John Bradley, Robert Brown, Andy Carmichael, Poppy Corbett, Mary Donnelly, Lynsey Hamilton, Martin Grant Hose, Eileen Logan, Katy Loudon, Joe Lowe, Kenny McCreary, Mark McGeever, Jim McGuigan, Davie McLachlan, Julia Marrs (Depute), Gladys Miller, Collette Stevenson (*substitute for Councillor Horsham*), Bert Thomson, Jared Wark (*substitute for Councillor Lockhart*), Josh Wilson

**Councillors' Apologies:**

Stephanie Callaghan, Geri Gray, Mark Horsham, Martin Lennon, Richard Lockhart, Catherine McClymont, John Ross (ex officio)

**Attending:**

**Finance and Corporate Resources**

C McKee, Licensing and Registration Co-ordinator; J Muirhead, Administration Adviser; T Stone, Licensing and Registration Manager; L Wyllie, Administration Assistant

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### 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.

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#### 2 Minutes of Previous Meeting

The minutes of the meeting of the Licensing Committee held on 28 November 2017 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 Urgent Business

There were no items of urgent business.

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#### 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 Paragraphs 6 and 14 of Part I of Schedule 7A of the Act.

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

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A report dated 22 November 2017 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).

An objection had been received from Police Scotland.

**The Committee decided:** that the application by D Shearer, Flat 1/2, 3 Ballantay Road, Castlemilk, Glasgow for a private hire car driver's licence be refused.

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

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A report dated 23 November 2017 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 her application.

Councillor Shearer, seconded by Councillor Marrs, moved that the licence be granted for a period of 1 year subject to the applicant undertaking 6 monthly health checks and submitting the results to the Licensing and Registration Service. Councillor Lowe, seconded by Councillor Carmichael, moved as an amendment that the application be refused. Councillor Wilson, seconded by Councillor McLachlan, moved as a second amendment, that the licence be granted for the full 3 year period, subject to the applicant undertaking 6 monthly health checks and submitting the results to the Licensing and Registration Service.

On a vote being taken by a show of hands between the second amendment (moved by Councillor Wilson and seconded by Councillor McLachlan) and the first amendment (moved by Councillor Lowe and seconded by Councillor Carmichael), 13 members voted for the second amendment and 4 for the first amendment. The second amendment was declared carried and placed against the motion. On a vote being taken by a show of hands, 11 members voted for the amendment and 8 voted for the motion. The amendment was declared carried.

**The Committee decided:** that the application by M Thomas, 45 Vere Road, Kirkmuirhill for a private hire car driver's licence in the Clydesdale zone be granted subject to the applicant undertaking 6 monthly health checks and submitting the results to the Licensing and Registration Service.

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

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A report dated 23 November 2017 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 representation had been received from Police Scotland and Sergeant Tomlinson was heard. L Nimmo from Police Scotland was also present.

Councillor McGuigan, seconded by Councillor McCreary, moved that the application be granted until 12 midnight Friday and Saturday only. Councillor Hamilton, seconded by Councillor Miller, moved as an amendment that the application be granted for the times requested. On a vote being taken by a show of hands, 15 members voted for the amendment and 6 for the motion. The amendment was declared carried.

**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:	Amran Tandoori (Bothwell) Limited and M Hakeem
Type of Licence:	Late hours catering
Premises:	87 Main Street, Bothwell
Days/Hours Requested:	Sunday to Thursday from 11.00pm to 12 midnight Friday and Saturday from 11.00pm to 12.30am
Days/Hours Granted:	Sunday to Thursday from 11.00pm to 12 midnight Friday and Saturday from 11.00pm to 12.30am

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## 8 Civic Government (Scotland) Act 1982 (As Amended) - Application for a Taxi Driver's Licence

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A report dated 22 November 2017 by the Executive Director (Finance and Corporate Resources) was submitted on an application for a taxi 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. L Nimmo from Police Scotland was also present.

**The Committee decided:** that the application by R McEwan, 180 Stobo, Calderwood, East Kilbride for a taxi driver's licence in the East Kilbride zone be granted.

*Councillors Carmichael, Logan and Lowe left the meeting during this item of business*

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## Chair's Closing Remarks

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The Chair extended the compliments of the season to all members and officials present.