

LICENSING COMMITTEE

Minutes of special meeting held in the Council Chamber, Council Offices, Almada Street, Hamilton on 16 January 2018

Chair:

Councillor David Shearer

Councillors Present:

John Bradley, Robert Brown, Poppy Corbett, Maureen Devlin (*substitute for Councillor Carmichael*), Mary Donnelly, Geri Gray, Lynsey Hamilton, Mark Horsham, Martin Grant Hose, Martin Lennon, Richard Lockhart, Eileen Logan, Katy Loudon, Joe Lowe, Catherine McClymont, Kenny McCreary, Mark McGeever, Davie McLachlan, Julia Marrs (Depute), Gladys Miller, Carol Nugent (*substitute for Councillor McGuigan*), Bert Thomson

Councillors' Apologies:

Stephanie Callaghan, Andy Carmichael, Jim McGuigan, John Ross (ex officio), Josh Wilson

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

1 Declaration of Interests

No interests were declared.

2 Urgent Business

There were no items of urgent business.

3 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.

4 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 647

A report dated 13 December 2017 by the Executive Director (Finance and Corporate Resources) was submitted:-

- ♦ advising on action taken, in terms of Standing Order No 36(c), in view of the timescales involved and a serious threat to public order or safety, by the Executive Director (Finance and Corporate Resources), in consultation with the Chair and an ex officio member, to order the immediate suspension of private hire car driver's licence No 647, with effect from 13 December 2017

- ♦ proposing that consideration be given to whether private hire car driver's licence No 647 should be suspended or revoked

In terms of the Civic Government (Scotland) Act 1982 (as amended), the opportunity of a hearing had been offered to the licence holder who was not present or represented. A complaint had been received from Police Scotland.

The Committee decided: that private hire car driver's licence No 647 for the Cambuslang and Rutherglen zone be suspended with immediate effect for the remainder of the period of the licence.

5 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Operator's Licence No 829

A report dated 6 December 2017 by the Executive Director (Finance and Corporate Resources) was submitted:-

- ♦ advising on action taken, in terms of Standing Order No 36(c), in view of the timescales involved and a serious threat to public order or safety, by the Executive Director (Finance and Corporate Resources), in consultation with the Chair and an ex officio member, to order the immediate suspension of private hire car operator's licence No 829, with effect from 6 December 2017
- ♦ proposing that consideration be given to whether private hire car operator's licence No 829 should be suspended or revoked

In terms of the Civic Government (Scotland) Act 1982 (as amended), the opportunity of a hearing had been offered to the licence holder who was present and represented by E Johnston. A complaint had been received from Police Scotland and Sergeant McGovern was heard.

Councillor McLachlan, seconded by Councillor Miller, moved that the licence be not suspended. Councillor Shearer, seconded by Councillor Lennon, moved as an amendment that the licence be suspended with immediate effect for the remainder of the period of the licence. On a vote being taken by a show of hands, 6 members voted for the amendment and 17 for the motion which was declared carried.

The Committee decided: that private hire car operator's licence No 829 for the Hamilton zone be not suspended.

6 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 450

A report dated 6 December 2017 by the Executive Director (Finance and Corporate Resources) was submitted:-

- ♦ advising on action taken, in terms of Standing Order No 36(c), in view of the timescales involved and a serious threat to public order or safety, by the Executive Director (Finance and Corporate Resources), in consultation with the Chair and an ex officio member, to order the immediate suspension of private hire car driver's licence No 450, with effect from 6 December 2017
- ♦ proposing that consideration be given to whether private hire car driver's licence No 450 should be suspended or revoked

In terms of the Civic Government (Scotland) Act 1982 (as amended), the opportunity of a hearing had been offered to the licence holder who was present and represented by E Johnston. A complaint had been received from Police Scotland and Sergeant McGovern was heard.

The Committee decided: that private hire car driver's licence No 450 for the Hamilton zone be suspended with immediate effect for the remainder of the period of the licence.