

LICENSING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 22 May 2018

Chair:

Councillor David Shearer

Councillors Present:

Alex Allison (*substitute for Councillor McGeever*), John Bradley, Stephanie Callaghan, Andy Carmichael, Poppy Corbett, Geri Gray, George Greenshields, Lynsey Hamilton, Mark Horsham, Martin Grant Hose, Martin Lennon, Richard Lockhart, Eileen Logan, Katy Loudon, Joe Lowe, Catherine McClymont, Jim McGuigan, Julia Marrs (Depute), Gladys Miller, Richard Nelson (*substitute for Councillor McCreary*), Carol Nugent, Collette Stevenson (*substitute for Councillor Donnelly*), Bert Thomson, Josh Wilson

Councillors' Apologies:

Mary Donnelly, Kenny McCreary, Mark McGeever, Davie McLachlan, John Ross (ex officio)

Attending:

Finance and Corporate Resources

M Cooper, Standards and Development Officer; C Lyon, Administration Officer; T Stone, Licensing and Registration Manager; L Wyllie, Administration Assistant

Chair's Opening Remarks

The Chair referred to the death of former councillor, Clare McColl, previously an elected member for Council Electoral Ward 13 (Cambuslang West). As a mark of respect, all present observed a minute's silence.

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Licensing Committee held on 8 May 2018 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) - Licensing of Taxis - Review of Taxi Fares

A report dated 1 May 2018 by the Executive Director (Finance and Corporate Resources) was submitted on the progress of the fares review in all zones of South Lanarkshire.

In terms of Section 17 of the Civic Government (Scotland) Act 1982 (as amended), by Section 174 of the Criminal Justice and Licensing (Scotland) Act 2010, there was a requirement for licensing authorities to review taxi fares in their area every 18 months.

At its meeting on 27 June 2013, this Committee had given its approval for an agreed formula to be applied to calculate all future taxi fares increases.

East Kilbride taxi trade had indicated that it did not intend to request an increase to the current fares tariff this year and it was, therefore, proposed to progress the fares review on the basis that there would be no increase in the current fares tariff in the East Kilbride zone, as detailed in Appendix 1 to the report.

Operators within the Hamilton zone had been written to, however, only a few operators had responded, who had indicated that no fares increase was being requested. It was, therefore, proposed to progress the fares review on the basis that there would be no increase in the current fares tariff in the Hamilton zone, as detailed in Appendix 1 to the report.

Clydesdale operators had been written to twice and no responses had been received. Therefore, it was assumed that they were not requesting an increase in the current fares tariff at the current time. It was, therefore, proposed to progress the fares review on the basis that there would be no increase in the current fares tariff in the Clydesdale zone, as detailed in Appendix 1 to the report.

A few operators in the Cambuslang and Rutherglen zone had requested an increase in the fares tariff of varying amounts. A further report on those requests would be prepared for consideration when the appropriate figures were available.

The Committee decided:

- (1) that the review procedure for the Clydesdale, Hamilton and East Kilbride zones be commenced on the basis that there be no increase in the current fares tariff and the tariff should remain unchanged; and
- (2) that the current position of the taxi fares review in the Cambuslang and Rutherglen zone be noted.

[Reference: Minutes of 11 April 2017 (Paragraph 2)]

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 Paragraphs 6 and 14 of Part I of Schedule 7A of the Act.
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6 Civic Government (Scotland) Act 1982 (As Amended) - Application for Renewal of Taxi Driver's Licence No 172

A report dated 24 April 2018 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the renewal of taxi driver's licence No 172 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.

The Committee decided: that the application for the renewal of taxi driver's licence No 172 in the Clydesdale zone be granted subject to the applicant providing an annual update on his medical condition to the Licensing and Registration Service.

7 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 671

A report dated 25 April 2018 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 671, with effect from 25 April 2018
- ♦ proposing that consideration be given to whether private hire car driver's licence No 671 should be suspended or revoked

The Licensing and Registration Manager advised that the applicant's solicitor had requested that the application be continued to a future meeting of this Committee.

The Committee decided:

- (1) that the action taken, in terms of Standing Order No 36(c), by the Executive Director (Finance and Corporate Resources), in consultation with the Chair and an ex officio member, to suspend private hire car driver's licence No 671, with effect from 25 April 2018, for a period of 6 weeks, be noted; and
- (2) that consideration as to whether private hire car licence No 671 should be suspended or revoked be continued to a future meeting of this Committee subject to the licence remaining suspended in the interim period.