

LICENSING COMMITTEE

Minutes of meeting held via Microsoft Teams on 25 May 2021

Chair:

Councillor David Shearer

Councillors Present:

Councillor Andy Carmichael, Councillor Poppy Corbett, Councillor Mary Donnelly, Councillor Grant Ferguson, Councillor Alistair Fulton, Councillor Geri Gray, Councillor George Greenshields, Councillor Lynsey Hamilton, Councillor Mark Horsham, Councillor Martin Grant Hose, Councillor Martin Lennon, Councillor Eileen Logan, Councillor Julia Marrs (Depute), Councillor Catherine McClymont, Councillor Kenny McCreary, Councillor Mark McGeever, Councillor Jim McGuigan, Councillor Davie McLachlan, Councillor Gladys Miller, Councillor Lynne Nailon (*substitute for Councillor Richard Lockhart*), Councillor Richard Nelson, Councillor Bert Thomson, Councillor Jim Wardhaugh

Councillors' Apologies:

Councillor Stephanie Callaghan, Councillor Richard Lockhart, Councillor John Ross (ex officio)

Attending:

Finance and Corporate Resources

C Lyon, Administration Officer; C McKee, Licensing and Registration Co-ordinator; G Mays, Legal Services' Adviser; L Wyllie, Administration Assistant

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Licensing Committee held on 4 May 2021 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.

Councillor Carmichael entered the meeting after this item of business

5 Civic Government (Scotland) Act 1982 (As Amended) – Application for Renewal of Private Hire Car Driver's Licence No 835

A report dated 6 May 2021 by the Executive Director (Finance and Corporate Resources) was submitted on an application for renewal of private hire car driver's licence No 835 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. An objection and subsequent emails had been received from Police Scotland and Sergeant Rankin was heard.

The Committee decided: that the application for the renewal of private hire car driver's licence No 835 in the Cambuslang and Rutherglen zone be refused.

Councillor Greenshields left the meeting during this item of business

6 Civic Government (Scotland) Act 1982 (As Amended) – Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 277

A report dated 6 May 2021 by the Executive Director (Finance and Corporate Resources) was submitted proposing that consideration be given to whether private hire car driver's licence No 277 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 heard in support of retaining his licence. A letter of complaint had been received from Police Scotland and Sergeant Rankin was heard.

Councillor Thomson, seconded by Councillor Ferguson, moved that the licence be suspended with immediate effect for a period of 1 year. Councillor McClymont, seconded by Councillor Hamilton, moved as an amendment that the licence be suspended with immediate effect for a period of 6 months. Councillor McLachlan, seconded by Councillor McGuigan, moved as a second amendment that the licence be suspended with immediate effect for the remainder of the period of licence.

On a vote being taken by roll call, between the second amendment (moved by Councillor McLachlan, seconded by Councillor McGuigan) and the first amendment (moved by Councillor McClymont, seconded by Councillor Hamilton), members voted as follows:-

First Amendment

Grant Ferguson, Lynsey Hamilton, Mark Horsham, Martin Lennon, Catherine McClymont, Julia Marrs, David Shearer, Bert Thomson

Second Amendment

Andy Carmichael, Poppy Corbett, Geri Gray, Martin Grant Hose, Kenny McCreary, Jim McGuigan, Davie McLachlan, Gladys Miller, Lynne Nailon, Richard Nelson, Jim Wardhaugh

11 members voted for the second amendment and 8 for the first amendment. The second amendment was declared carried and placed against the motion. On a vote being taken by roll call, members voted as follows:-

Motion

Grant Ferguson, Geri Gray, Lynsey Hamilton, Mark Horsham, Martin Lennon, Catherine McClymont, Julia Marrs, David Shearer, Bert Thomson

Amendment

Andy Carmichael, Poppy Corbett, Martin Grant Hose, Kenny McCreary, Jim McGuigan, Davie McLachlan, Gladys Miller, Lynne Nailon, Richard Nelson, Jim Wardhaugh

10 members voted for the amendment and 9 for the motion. The amendment was declared carried.

The Committee decided: that private hire car driver's licence No 277 in the Cambuslang and Rutherglen zone be suspended with immediate effect for the remainder of the period of licence.

Councillors Donnelly, Fulton, Logan and McGeever left the meeting during this item of business