

LICENSING COMMITTEE

Minutes of meeting held via Microsoft Teams on 29 June 2021

Chair:

Councillor David Shearer

Councillors Present:

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

Councillors' Apologies:

Councillor John Bradley, Councillor Geri Gray, Councillor Martin Lennon, Councillor Mark McGeever, Councillor Richard Nelson, Councillor John Ross (ex officio), Councillor Jim Wardhaugh

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

5 Civic Government (Scotland) Act 1982 (As Amended) - Application to Vary the Terms of Public Entertainment Licence No 021

A report dated 18 June 2021 by the Executive Director (Finance and Corporate Resources) was submitted on an application for variation of public entertainment licence No 021 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 J Thomson and represented by A MacIver, Solicitor.

Comments had been received from Environmental Services.

The Committee decided: that the following application for the variation of public entertainment licence No 021 be granted subject to the conditions specified by the Executive Director (Finance and Corporate Resources):-

Applicant:	HAFC Stadium Ltd, New Douglas Park, Cadzow Avenue, Hamilton and S Fagan
Type of Licence:	Public entertainment
Premises:	New Douglas Park, Cadzow Avenue, Hamilton
Current Days/Hours:	Various
Days/Hours Requested:	Monday to Sunday from 10.00am to 10.00pm
Days/Hours Granted:	Monday to Sunday from 10.00am to 10.00pm
Current Activities:	Fun days including bouncy castles and marquees, fireworks, concerts and musical events
Proposed Activities:	Fun days including bouncy castles and marquees, fireworks, concerts, musical events, drive in cinema events, occasional fairground events and boxing matches

6 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 140

A report dated 10 June 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 140 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.

The Committee decided: that consideration of suspension or revocation of private hire car driver's licence No 140 in the East Kilbride zone be deferred until the conclusion of the court case.

In terms of Standing Order No 13, the Chair adjourned the meeting after this item of business at 11.37am and reconvened at 11.50am

Councillors Carmichael, Corbett, Donnelly and Miller left the meeting after this item of business

7 Civic Government (Scotland) Act 1982 (As Amended) - Application for Renewal of Private Hire Car Driver's Licence No 923

A report dated 10 June 2021 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the renewal of private hire car driver's licence No 923 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 represented by P Wallace. An objection had been received from Police Scotland and Sergeant Rankin was heard.

Councillor Thomson, seconded by Councillor McClymont, moved that the application be granted for a period of 1 year. Councillor McGuigan, seconded by Councillor McCreary, moved as an amendment that the application be refused.

On a vote being taken by roll call, members voted as follows:-

Motion

George Greenshields, Lynsey Hamilton, Catherine McClymont, David Shearer, Bert Thomson

Amendment

Margaret Cowie, Grant Ferguson, Alistair Fulton, Mark Horsham, Martin Grant Hose, Richard Lockhart, Eileen Logan, Kenny McCreary, Jim McGuigan, Davie McLachlan, Julie Marrs, Jared Ward

12 members voted for the amendment and 5 for the motion. The amendment was declared carried.

The Committee decided:

that the application for the renewal of private hire car driver's licence No 923 in the Cambuslang and Rutherglen zone be refused.