

LICENSING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 7 November 2017

Chair:

Councillor David Shearer

Councillors Present:

John Bradley, Robert Brown, Andy Carmichael, Poppy Corbett, Margaret Cowie (*substitute for Councillor Thomson*), Mary Donnelly, Geri Gray, George Greenshields, Mark Horsham, Richard Lockhart, Eileen Logan, Katy Loudon, Joe Lowe, Catherine McClymont, Kenny McCreary, Mark McGeever, Jim McGuigan, Davie McLachlan, Julia Marrs (Depute), Gladys Miller, Collette Stevenson (*substitute for Councillor Callaghan*), Jared Wark (*substitute for Councillor Hose*), Josh Wilson

Councillors' Apologies:

Stephanie Callaghan, Lynsey Hamilton, Martin Grant Hose, John Ross (ex officio), Bert Thomson

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 Minutes of Previous Meeting

The minutes of the meeting of the Licensing Committee held on 3 October 2017 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 50(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 Late Hours Catering Licence No 016

A report dated 11 October 2017 by the Executive Director (Finance and Corporate Resources) was submitted on an application to vary the terms of late hours catering licence No 016 in terms of the Civic Government (Scotland) Act 1982 (as amended).

The Committee decided: that the following application for variation of licence be granted subject to the conditions specified by the Executive Director (Finance and Corporate Resources):-

Applicant:	Malthurst Retail Limited and T Kuruparan
Type of Licence:	Late hours catering
Premises:	Old Coach Road Service Station, 104 Old Coach Road, East Kilbride
Current Days/Hours:	Monday to Sunday from 11.00pm to 3.00am
Days/Hours Requested:	Monday to Sunday from 11.00pm to 5.00am
Days/Hours Granted:	Monday to Sunday from 11.00pm to 5.00am

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

A report dated 27 October 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).

At its meeting on 19 September 2017, the Committee had decided that further information be requested from Police Scotland to allow it to consider the application. The application was due to be considered on 3 October 2017, however, as the requested information from Police Scotland had not been received, the Committee agreed that the application be continued until this meeting of the Committee.

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 A Hunter, Solicitor. An objection had been received from Police Scotland and Sergeant Tomlinson was heard.

The Committee decided: that the application by A Anjum, 32 Winterford Road, Salford for a private hire car driver's licence in the Cambuslang and Rutherglen zone be refused.

[Reference: Minutes of 3 October 2017 (Paragraph 5)]

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

A report dated 11 October 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).

At its meeting on 3 October 2017, the Committee had agreed that the application be continued to a future meeting to allow the applicant a further opportunity to be present.

The Licensing and Registration Manager informed members that the applicant had advised that he was unable to attend today's hearing. An objection had been received from Police Scotland.

The Licensing and Registration Manager advised that the application could be dealt with in the applicant's absence or continued to a future meeting of this Committee to allow the applicant a further opportunity to be present.

Councillor Donnelly, seconded by Councillor McGeever, moved that the application be continued to a future meeting of this Committee to allow the applicant a further opportunity to be present. Councillor Shearer, seconded by Councillor Wilson, moved as an amendment that the application be dealt with in the applicant's absence. On a vote being taken by a show of hands, 2 members voted for the motion and 22 members voted for the amendment which was declared carried.

The Committee decided: that the application by M Anderson, 5 Newtongrange Avenue, Fullerton Park, Glasgow for a private hire car driver's licence in the Cambuslang and Rutherglen zone be refused.

[Reference: Minutes of 3 October 2017 (Paragraph 8)]

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

A report dated 11 October 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 his application. An objection had been received from Police Scotland and Sergeant Tomlinson was heard.

The Committee decided: that the application by M D Jama, Flat 2/2, 51 Birnie Road, Glasgow for a private hire car driver's licence in the Cambuslang and Rutherglen zone be refused.