

## LICENSING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 28 November 2017

### Chair:

Councillor David Shearer

### Councillors Present:

John Bradley, Robert Brown, Andy Carmichael, Poppy Corbett, Mary Donnelly, Geri Gray, Lynsey Hamilton, Mark Horsham, Richard Lockhart, Eileen Logan, Katy Loudon, Catherine McClymont, Kenny McCreary, Mark McGeever, Jim McGuigan, Davie McLachlan, Julia Marrs (Depute), Gladys Miller, Bert Thomson, Jared Wark (*substitute for Councillor Hose*), Josh Wilson

### Councillors' Apologies:

Stephanie Callaghan, George Greenshields, Martin Grant Hose, Joe Lowe, John Ross (ex officio)

### 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

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## Order of Business

**The Committee decided:** that the items of business be dealt with in the order minuted below.

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## 1 Declaration of Interests

The following interest was declared:-

<b>Councillor(s)</b>	<b>Item(s)</b>	<b>Nature of Interest(s)</b>
Thomson	Civic Government (Scotland) Act 1982 (as amended):- <ul style="list-style-type: none"><li>◆ Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 621</li><li>◆ Application for Renewal of Private Hire Car Driver's Licence No 621</li></ul>	Known to applicant

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## 2 Minutes of Previous Meeting

The minutes of the meeting of the Licensing Committee held on 7 November 2017 were submitted for approval as a correct record.

**The Committee decided:** that the minute be approved as a correct record.

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## 3 Urgent Business

There were no items of urgent business.

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#### **4 Exclusion of Press and Public**

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**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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#### **5 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 316**

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A report dated 18 October 2017 by the Executive Director (Finance and Corporate Resources) was submitted proposing that consideration be given to whether private hire car driver's licence No 316 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 letter of complaint had been received from Police Scotland.

**The Committee decided:** that private hire car driver's licence No 316 for the Cambuslang and Rutherglen zone be revoked with immediate effect.

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#### **6 Civic Government (Scotland) Act 1982 (As Amended) - Application to Vary the Terms of Second-Hand Dealer Licence No 008**

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A report dated 6 November 2017 by the Executive Director (Finance and Corporate Resources) was submitted on an application to vary the terms of second-hand dealer licence No 008 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:	Arnold Clark Automobiles Limited and B Webster
Type of Licence:	Second-hand dealer
Premises:	1 Brooklands, East Kilbride
Current Days/Hours:	Monday to Friday from 9.00am to 8.00pm Saturday from 9.00am to 6.00pm Sunday from 11.00am to 6.00pm
Days/Hours Requested:	Monday to Thursday from 8.30am to 8.00pm Friday from 8.30am to 7.00pm Saturday from 8.30am to 6.00pm Sunday from 11.00am to 6.00pm
Days/Hours Granted:	Monday to Thursday from 8.30am to 8.00pm Friday from 8.30am to 7.00pm Saturday from 8.30am to 6.00pm Sunday from 11.00am to 6.00pm

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**7 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 422**

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A report dated 7 November 2017 by the Executive Director (Finance and Corporate Resources) was submitted proposing that consideration be given to whether private hire car driver's licence No 422 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. A letter of complaint had been received from Police Scotland and Sergeant Tomlinson was heard.

Councillor Miller, seconded by Councillor Brown, moved that the licence be revoked with immediate effect. Councillor Wilson, seconded by Councillor Logan, 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, 13 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 422 for the Cambuslang and Rutherglen zone be suspended with immediate effect for the remainder of the period of the licence.

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**8 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 621**

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A report dated 7 November 2017 by the Executive Director (Finance and Corporate Resources) was submitted proposing that consideration be given to whether private hire car driver's licence No 621 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 applicant who was not present or represented. A letter of complaint had been received from Police Scotland.

**The Committee decided:** that private hire car driver's licence No 621 for the Hamilton zone be revoked with immediate effect.

*Councillor Thomson, having declared an interest in the above and following item, withdrew from the meeting during their consideration*

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**9 Civic Government (Scotland) Act 1982 (As Amended) - Application for Renewal of Private Hire Car Driver's Licence No 621**

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A report dated 8 November 2017 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the renewal of private hire car driver's licence No 621 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 not present or represented. An objection had been received from Police Scotland.

**The Committee decided:** that the application for the renewal of private hire car driver's licence No 621 in the Hamilton zone be refused.

