

LICENSING COMMITTEE

Minutes of meeting held via Confero and in Committee Room 1, Council Offices, Almada Street, Hamilton on 19 September 2023

Chair:

Councillor Andy Carmichael

Councillors Present:

Councillor Poppy Corbett, Councillor Margaret Cowie (*substitute for Councillor Monique McAdams*), Councillor Mark Horsham (*substitute for Councillor Mary Donnelly*), Councillor Julia Marrs, Councillor David Shearer, Councillor Helen Toner

Councillors' Apologies:

Councillor Mary Donnelly, Councillor Joe Fagan (ex officio), Councillor Monique McAdams, Councillor Mark McGeever, Councillor Bert Thomson (Depute)

Attending:

Finance and Corporate Resources

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

1 Declaration of Interests

The following interest was declared:-

Councillor(s)	Item(s)	Nature of Interest(s)
Cowie	Civic Government (Scotland) Act 1982 (As Amended) - Application for Renewal of Private Hire Car Driver's Licence No 293	Known to applicant

2 Minutes of Previous Meeting

The minutes of the meeting of the Licensing Committee held on 29 August 2023 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 for Renewal of Private Hire Car Driver's Licence No 293

A report dated 31 August 2023 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the renewal of private hire car driver's licence No 293 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 Constable Doria was heard.

The Committee decided: that the application by D Fraser, 5 Virtuewell Grove, Cambuslang for the renewal of private hire car driver's licence No 293 in the Cambuslang and Rutherglen zone be granted.

Councillor Cowie, having declared an interest in the above item of business, withdrew from the meeting during its consideration. In terms of Standing Order No 14, the Chair adjourned the meeting at 10.50am and reconvened at 10.55am

6 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 741

A report dated 4 September 2023 by the Executive Director (Finance and Corporate Resources) was submitted:-

- ♦ advising on action taken, in terms of Standing Order No 37(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 741, with effect from 4 September 2023
- ♦ proposing that consideration be given to whether private hire car driver's licence No 741 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 complaint had been received from Police Scotland and Constable Doria was heard.

The Committee decided:

- (1) that the action taken, in terms of Standing Order No 37(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 741, with effect from 4 September 2023, for a maximum period of 6 weeks, be noted; and
- (2) that private hire car driver's licence No 741 for the Cambuslang and Rutherglen zone be suspended with immediate effect for the remainder of the period of licence.

7 Civic Government (Scotland) Act 1982 (As Amended) – Application for Renewal of Private Hire Car Operator’s Licence No 1213

A report dated 31 August 2023 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the renewal of private hire car operator’s licence No 1213 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 Constable Doria was heard.

The Committee decided: that the application by M Jimale, Flat 35, 104 Cedar Grove, Glasgow for the renewal of private hire car operator’s licence No 1213 in the Cambuslang and Rutherglen zone be refused.

8 Civic Government (Scotland) Act 1982 (As Amended) – Application for Late Hours Catering Licence

A report dated 31 August 2023 by the Executive Director (Finance and Corporate Resources) was submitted on an application for a late hours catering 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 not present but represented by L Simpson, Solicitor.

The Committee decided: that the application for a late hours catering licence be granted subject to the conditions specified by the Executive Director (Finance and Corporate Resources):-

Applicant:	Euro Garages Limited and D Frame
Type of Licence:	Late Hours Catering
Premises:	Bothwell Motorway Service Station, J5-J6 M74 Southbound, Bothwell
Days/Hours Requested:	Monday to Sunday 11.00pm until 5.00am
Days/Hours Granted:	Monday to Sunday 11.00pm until 5.00am

9 Civic Government (Scotland) Act 1982 (As Amended) – Application for Late Hours Catering Licence

A report dated 31 August 2023 by the Executive Director (Finance and Corporate Resources) was submitted on an application for a late hours catering 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 not present but represented by L Simpson, Solicitor.

The Committee decided: that the application for a late hours catering licence be granted subject to the conditions specified by the Executive Director (Finance and Corporate Resources):-

Applicant: Euro Garages Limited and D Frame
Type of Licence: Late Hours Catering
Premises: Hamilton Motorway Service Station, J5-J6 M74 Northbound, Hamilton
Days/Hours Requested: Monday to Sunday 11.00pm until 5.00am
Days/Hours Granted: Monday to Sunday 11.00pm until 5.00am

10 Civic Government (Scotland) Act 1982 (As Amended) – Application for Late Hours Catering Licence

A report dated 31 August 2023 by the Executive Director (Finance and Corporate Resources) was submitted on an application for a late hours catering 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 not present but represented by L Simpson, Solicitor.

The Committee decided: that the application for a late hours catering licence be granted subject to the conditions specified by the Executive Director (Finance and Corporate Resources):-

Applicant: Euro Garages Limited and D Frame
Type of Licence: Late Hours Catering
Premises: Blantyre Service Station, East Avenue, Blantyre
Days/Hours Requested: Monday to Sunday 11.00pm until 5.00am
Days/Hours Granted: Monday to Sunday 11.00pm until 5.00am