

LICENSING COMMITTEE

Minutes of meeting held via Confero and in Committee Room 1, Council Offices, Almada Street, Hamilton on 25 April 2023

Chair:

Councillor Andy Carmichael

Councillors Present:

Councillor Poppy Corbett, Councillor Margaret Cowie (*substitute for Councillor Monique McAdams*), Councillor Julia Marrs, Councillor Mark McGeever, Councillor David Shearer, Councillor Bert Thomson (Depute), Councillor Helen Toner

Councillors' Apologies:

Councillor Joe Fagan (ex officio), Councillor Geri Gray, Councillor Monique McAdams

Attending:

Finance and Corporate Resources

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

Order of Business

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

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Licensing Committee held on 14 March 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) - Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 569

A report dated 5 April 2023 by the Executive Director (Finance and Corporate Resources) was submitted proposing that consideration be given to whether private hire car driver's licence No 569 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 accompanied by Mr Tesfaye and represented by Mr Ali, Solicitor. A letter of complaint had been received from Police Scotland and Sergeant Brown was heard.

The Committee decided: that private hire car driver's licence No 569 for the Cambuslang and Rutherglen zone be suspended with immediate effect for the remainder of the period of licence.

6 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 237

A report dated 21 March 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 237, with effect from 20 March 2023
- ♦ proposing that consideration be given to whether private hire car driver's licence No 237 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 complaint had been received from Police Scotland.

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 237, with effect from 20 March 2023, for a maximum period of 6 weeks, be noted; and
- (2) that private hire car driver's licence No 237 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) - Consideration of Suspension or Revocation of Taxi Driver's Licence No 013

A report dated 5 April 2023 by the Executive Director (Finance and Corporate Resources) was submitted proposing that consideration be given to whether taxi driver's licence No 013 should be suspended or revoked.

The licence holder advised that he had additional information that he would like to submit to the Committee. Following discussion, it was agreed that the additional information would be accepted and circulated to all members of the Committee and the Licensing Standards Officer, and that a short adjournment be taken to allow members time to read the new information.

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 report had been received from the Council's Licensing Standards Officer and F Carroll was heard.

The Committee decided: that taxi driver's licence No 013 for the Cambuslang and Rutherglen zone be suspended with immediate effect for the remainder of the period of licence.

In terms of Standing Order No 14, the Chair adjourned the meeting at 11.00am and reconvened at 11.20am. Councillor Toner was not present when the meeting reconvened

8 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Operator's Licence No 1247

A report dated 5 April 2023 by the Executive Director (Finance and Corporate Resources) was submitted proposing that consideration be given to whether private hire car operator's licence No 1247 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 report had been received from the Council's Licensing Standards Officer and F Carroll was heard.

The Committee decided: that private hire car operator's licence No 1247 for the Cambuslang and Rutherglen zone be suspended with immediate effect for the remainder of the period of licence.

9 Civic Government (Scotland) Act 1982 (As Amended) - Application for Renewal of Taxi Driver's Licence No 013

A report dated 5 April 2023 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the renewal of taxi driver's licence No 013 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. A report had been received from the Council's Licensing Standards Officer and F Carroll was heard.

The Committee decided: that the application for the renewal of renewal of taxi driver's licence No 013 in the Cambuslang and Rutherglen zone be refused.

10 Civic Government (Scotland) Act 1982 (As Amended) - Application for Renewal of Private Hire Car Operator's Licence No 1247

A report dated 5 April 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 1247 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. A report had been received from the Council's Licensing Standards Officer and F Carroll was heard.

The Committee decided: that the application for the renewal of private hire car operator's licence No 1247 in the Cambuslang and Rutherglen zone be refused.