

LICENSING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 25 February 2020

Chair:

Councillor David Shearer

Councillors Present:

Councillor Stephanie Callaghan, Councillor Andy Carmichael, Councillor Maureen Devlin (*substitute for Councillor Lynsey Hamilton*), Councillor Mary Donnelly, Councillor Grant Ferguson, Councillor George Greenshields, Councillor Mark Horsham, Councillor Martin Lennon, Councillor Richard Lockhart, Councillor Eileen Logan, Councillor Katy Loudon, Councillor Julia Marrs (Depute), Councillor Catherine McClymont, Councillor Kenny McCreary, Councillor Jim McGuigan, Councillor Davie McLachlan, Councillor Gladys Miller, Councillor Richard Nelson, Councillor Mo Razzaq (*substitute for Councillor Bert Thomson*), Councillor Jim Wardhaugh, Councillor Jared Wark (*substitute for Councillor Poppy Corbett*)

Councillors' Apologies:

Councillor Poppy Corbett, Councillor Geri Gray, Councillor Lynsey Hamilton, Councillor Martin Grant Hose, Councillor Mark McGeever, Councillor John Ross (ex officio), Councillor Bert Thomson

Attending:

Finance and Corporate Resources

C Lyon, Administration Officer; C McKee, Licensing and Registration Co-ordinator; G Mays, Legal Services' Adviser

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Licensing Committee held on 4 February 2020 were submitted for approval as a correct record.

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

3 Civic Government (Scotland) Act 1982 (As Amended) – Licensing of Taxis – Review of Taxi Fares

A report dated 10 February 2020 by the Executive Director (Finance and Corporate Resources) was submitted on the progress of the fares review in the Clydesdale zone of South Lanarkshire.

In terms of Section 17 of the Civic Government (Scotland) Act 1982 (as amended) by Section 174 of the Criminal Justice and Licensing (Scotland) Act 2010, there was a requirement for licensing authorities to review taxi fares in their area every 18 months.

At its meeting on 3 December 2019, this Committee agreed that consultation should take place with Community Councils in the Clydesdale area with regard to the proposed increase of 30 pence over the 2 mile hire. The current and proposed tariffs were shown in Appendix 1.

One response had been received from the Royal Burgh of Lanark Community Council advising that they agreed with the proposed increase.

The Committee decided: that, on the basis that no objections or representations had been received following the consultation with Community Councils in the Clydesdale area, there be an increase of 30 pence over the 2 mile hire in the Clydesdale zone.

[Reference: Minutes of 3 December 2019 (Paragraph 3)]

4 Urgent Business

There were no items of urgent business.

5 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 Paragraph 14 of Part I of Schedule 7A of the Act.

6 Civic Government (Scotland) Act 1982 (As Amended) – Application for a Window Cleaner’s Licence

A report dated 5 February 2020 by the Executive Director (Finance and Corporate Resources) was submitted on an application for a window cleaner’s licence in terms of the Civic Government (Scotland) Act 1982 (as amended).

The Committee decided: that the application by G Campbell, 98 Netherton Road, East Kilbride for a window cleaner’s licence in the East Kilbride zone be refused.

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

A report dated 6 February 2020 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).

The Committee decided: that the application by J McCafferty, Flat 6/2, 62 Lloyd Street, Glasgow for a private hire car driver’s licence in the Cambuslang and Rutherglen zone be refused.

8 Civic Government (Scotland) Act 1982 (As Amended) – Application for Renewal of Private Hire Car Driver’s Licence No 774

A report dated 6 February 2020 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the renewal of private hire car driver’s licence No 774 in terms of the Civic Government (Scotland) Act 1982 (as amended).

At its meeting on 4 February 2020, the Committee agreed that this application be continued to a future meeting to allow the applicant the opportunity to be present.

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 was represented by A Raza. An objection had been received from Police Scotland and Inspector McGovern was heard.

The Committee decided: that the application for the renewal of private hire car driver's licence No 774 in the Cambuslang and Rutherglen zone be refused.

[Reference: Minutes of 4 February 2020 (Paragraph 6)]

In terms of Standing Order No 13, the Chair adjourned the meeting after this item of business at 10.40am and reconvened at 10.50am. Councillor Donnelly was not present when the meeting reconvened

9 Civic Government (Scotland) Act 1982 (As Amended) – Application for a Taxi Driver's Licence

A report dated 6 February 2020 by the Executive Director (Finance and Corporate Resources) was submitted on an application for a taxi 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 Inspector McGovern was heard.

Councillor Miller, seconded by Councillor Callaghan, moved that the application be granted. Councillor Razzaq, seconded by Councillor Nelson, moved as an amendment that the application be granted for a period of 1 year. Councillor McLachlan, seconded by Councillor Lennon, moved as a second amendment that the application be refused.

On a vote being taken by a show of hands, between the second amendment (moved by Councillor McLachlan and seconded by Councillor Lennon), and the first amendment (moved by Councillor Razzaq and seconded by Councillor Nelson), 2 members voted for the second amendment and 14 for the first amendment. The first amendment was declared carried and placed against the motion. On a vote being taken by a show of hands, 16 members voted for the amendment and 4 for the motion. The amendment was declared carried.

The Committee decided: that the application by D McEwan, 31 Laighstonehall Road, Hamilton for a taxi driver's licence in the Hamilton zone be granted for a period of 1 year.