



Council Offices, Almada Street
Hamilton, ML3 0AA

Monday, 15 January 2024

Dear Councillor

Licensing Committee

The Members listed below are requested to attend a meeting of the above Committee to be held as follows:-

Date: Tuesday, 23 January 2024

Time: 10:00

Venue: Hybrid - Committee Room 1, Council Offices, Almada Street, Hamilton, ML3 0AA

The business to be considered at the meeting is listed overleaf.

Yours sincerely

Paul Manning
Chief Executive

Members

Andy Carmichael (Chair), Bert Thomson (Depute Chair), Joe Fagan (ex officio), Poppy Corbett, Mary Donnelly, Julia Marrs, Monique McAdams, Mark McGeever, David Shearer, Helen Toner

Substitutes

Robert Brown, Janine Calikes, Margaret Cowie, Mark Horsham, Kenny McCreary, Davie McLachlan

BUSINESS

1 Declaration of Interests

2 Minutes of Previous Meeting

3 - 6

Minutes of the meeting of the Licensing Committee held on 28 November 2023 submitted for approval as a correct record. (Copy attached)

Urgent Business

3 Urgent Business

Any other items of business which the Chair decides are urgent.

Exclusion of Press and Public

4 Exclusion of Press and Public

It is recommended that the Committee makes the following resolution:-

"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 item(s) of business on the grounds that it is likely that there will be disclosure of exempt information in terms of Paragraphs 6 and 14 of Part I of Schedule 7A of the Act."

Item(s) for Decision

5 Civic Government (Scotland) Act 1982 (As Amended) - Application to Vary the Terms of Late Hours Catering Licence No 013

- Exempt information in terms of Paragraph 6 of Part I of Schedule 7A of the Act

6 Civic Government (Scotland) Act 1982 (As Amended) - Application for Grant of Late Hours Catering Licence

- Exempt information in terms of Paragraph 6 of Part I of Schedule 7A of the Act

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

- Exempt information in terms of Paragraph 14 of Part I of Schedule 7A of the Act

For further information, please contact:-

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LICENSING COMMITTEE

2

Minutes of meeting held via Confero and in Committee Room 1, Council Offices, Almada Street, Hamilton on 28 November 2023

Chair:

Councillor Andy Carmichael

Councillors Present:

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

Councillors' Apologies:

Councillor Joe Fagan (ex officio), Councillor Monique McAdams, Councillor Mark McGeever

Attending:

Finance and Corporate Resources

C Lyon, Administration Officer; C McKee, Licensing and Registration Co-ordinator; S O'Neill, Solicitor; 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 7 November 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 Paragraph 14 of Part I of Schedule 7A of the Act.

5 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Taxi Operator, Taxi Driver, Private Hire Car Operator and Booking Office Licences

A report dated 9 November 2023 by the Executive Director (Finance and Corporate Resources) was submitted proposing that consideration be given to whether the following licences should be suspended or revoked:-

- ◆ private hire car operator licence Nos 342, 418, 423, 496, 513, 618, 625, 631, 634, 673, 723, 863, 944, 1384, 2143 and 2145
- ◆ booking office licence No 7
- ◆ taxi operator licence Nos 133, 171, 181 and 308
- ◆ taxi driver's licence No 28

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 represented by N McShane, Solicitor. A letter of complaint had been received from Police Scotland and Sergeant Brown was heard.

The Committee decided: that the following licences be not suspended:-

- ◆ private hire car operator's licence No 342 in the East Kilbride zone
- ◆ booking office licence No 7 in the Hamilton zone
- ◆ taxi operator licence Nos 133, 171 and 181 in the Hamilton zone
- ◆ private hire car operator licence Nos 418, 423, 496, 513, 618, 625, 631, 634, 673, 723, 863 and 944 in the Hamilton zone
- ◆ taxi operator's licence No 308 in the Cambuslang and Rutherglen zone
- ◆ private hire car operator licence Nos 1384, 2143 and 2145 in the Cambuslang and Rutherglen zone
- ◆ taxi driver's licence No 28 in the Cambuslang and Rutherglen zone

6 Civic Government (Scotland) Act 1982 (As Amended) - Applications for Renewal of Private Hire Car Operator Licence Nos 496, 723, 2143 and 2145

A report dated 9 November 2023 by the Executive Director (Finance and Corporate Resources) was submitted on applications for the renewal of private hire car operator licence Nos 496, 723, 2143 and 2145 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 represented by N McShane, Solicitor. An objection had been received from Police Scotland and Sergeant Brown was heard.

The Committee decided: that the application by S Cars, 20 Magnolia Terrace, Cambuslang for the renewal of private hire car operator licence Nos 496 and 723 in the Hamilton zone and 2143 and 2145 in the Cambuslang and Rutherglen zone be granted.

7 Civic Government (Scotland) Act 1982 (As Amended) - Application for Renewal of Taxi Operator's Licence No 308

A report dated 9 November 2023 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the renewal of taxi operator's licence No 308 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 represented by N McShane, Solicitor. An objection had been received from Police Scotland and Sergeant Brown was heard.

The Committee decided: that the application by S Harper, 20 Magnolia Terrace, Cambuslang for the renewal of taxi operator's licence No 308 in the Cambuslang and Rutherglen zone be granted.

8 Civic Government (Scotland) Act 1982 (As Amended) - Application for Grant of Taxi Operator Licences

A report dated 9 November 2023 by the Executive Director (Finance and Corporate Resources) was submitted on 3 applications for the grant of taxi operator licences 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 represented by N McShane, Solicitor. An objection had been received from Police Scotland and Sergeant Brown was heard.

The Committee decided: that the 3 applications by South Lanarkshire Private Hire and S Harper, 24 Main Street, Bothwell for the grant of taxi operator licences in the Hamilton zone be granted.

9 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Operator Licence No 731 and Private Hire Car Driver Licence No 727

A report dated 9 November 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 731 and private hire car driver's licence No 727 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 represented by N McShane, Solicitor. A letter of complaint had been received from Police Scotland and Sergeant Brown was heard.

The Committee decided: that private hire car operator's licence No 731 in the Hamilton zone and private hire car driver's licence No 727 in the Cambuslang and Rutherglen zones be not suspended.

10 Civic Government (Scotland) Act 1982 (As Amended) - Application for Grant of Private Hire Car Driver's Licence

A report dated 9 November 2023 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the grant of 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. A representation had been received from Police Scotland and Sergeant Brown was heard.

The Committee decided: that the application by K Igbinovia, 23 Luss Brae, Hamilton for the grant of a private hire car driver's licence in the Hamilton zone be granted for a period of one year.

11 Civic Government (Scotland) Act 1982 (As Amended) - Application for Grant of Private Hire Car Driver's Licence

A report dated 9 November 2023 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the grant of a private hire car driver's licence in terms of the Civic Government (Scotland) Act 1982 (as amended).

The Council's Solicitor intimated that the applicant had been given the deadline of Friday 24 November 2023 to pass his route test. All applicants were required to pass a route test before a licence could be granted. As the applicant had failed to pass the route test by the deadline date, the application had to be refused.

The Committee decided: to note that the application by A Ndoumbe Mboue, 54 to 57 Laurel Street, Glasgow for the grant of a private hire car driver's licence in the Cambuslang and Rutherglen zone had been refused as he failed to pass his route test.

Chair's Closing Remarks

The Chair extended the compliments of the season to all members and officials present.