

LICENSING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 21 January 2020

Chair:

Councillor David Shearer

Councillors Present:

Councillor Alex Allison (*substitute for Councillor Richard Nelson*), Councillor Poppy Corbett, Councillor Mary Donnelly, Councillor Grant Ferguson, Councillor Mark Horsham, Councillor Martin Grant Hose, Councillor Martin Lennon, Councillor Richard Lockhart, Councillor Eileen Logan, Councillor Katy Loudon, Councillor Julia Marrs (Depute), Councillor Catherine McClymont, Councillor Kenny McCreary, Councillor Mark McGeever, Councillor Jim McGuigan, Councillor Davie McLachlan, Councillor Gladys Miller, Councillor Graham Scott (*substitute for Councillor Andy Carmichael*), Councillor Bert Thomson

Councillors' Apologies:

Councillor Stephanie Callaghan, Councillor Andy Carmichael, Councillor Geri Gray, Councillor George Greenshields, Councillor Lynsey Hamilton, Councillor Richard Nelson, Councillor John Ross (ex officio), Councillor Jim Wardhaugh

Attending:

Finance and Corporate Resources

C McKee, Licensing and Registration Co-ordinator; S McLeod, Administration Officer; G Mays, 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 3 December 2019 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) – Application for Grant of a Street Trader’s Licence

A report dated 30 December 2019 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the grant of a street trader’s licence in terms of the Civic Government (Scotland) Act 1982 (as amended).

At its meeting on 3 December 2019, 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 or represented. A representation had been received from Police Scotland.

Councillor McLachlan, seconded by Councillor Marrs, moved that the application be refused. Councillor McGuigan, seconded by Councillor Donnelly, moved as an amendment that the application be granted. On a vote being taken by a show of hands, 6 members voted for the amendment and 14 for the motion which was declared carried.

The Committee decided: that the application by K Barron, 60 Kelvin Road, East Kilbride for a street trader’s licence in the East Kilbride zone be refused.

[Reference: Minutes of 3 December 2019 (Paragraph 9)]

Councillor Corbett left the meeting after this item of business

6 Civic Government (Scotland) Act 1982 (As Amended) – Consideration of Suspension or Revocation of Private Hire Car Driver’s Licence No 324

A report dated 30 December 2019 by the Executive Director (Finance and Corporate Resources) was submitted proposing that consideration be given to whether private hire car driver’s licence No 324 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 letter of complaint and an updated email had been received from Police Scotland and Sergeant Rankin was heard.

Councillor Shearer, seconded by Councillor Logan, moved that the licence be suspended with immediate effect for a period of 2 weeks. Councillor McLachlan, seconded by Councillor Horsham, moved as an amendment that the licence be not suspended or revoked. On a vote being taken by a show of hands, 8 members voted for the amendment and 10 voted for the motion which was declared carried.

The Committee decided: that private hire car driver’s licence No 324 for the Cambuslang and Rutherglen zone be suspended with immediate effect for a period of 2 weeks.

7 Civic Government (Scotland) Act 1982 (As Amended) – Application for Renewal of Private Hire Car Driver’s Licence No 324

A report dated 30 December 2019 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the renewal of private hire car driver’s licence No 324 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 Sergeant Rankin was heard.

The Committee decided: that the application for the renewal of private hire car driver's licence No 324 in the Cambuslang and Rutherglen zone be granted for a period of 1 year.

Councillor Thomson, as the mover of an amendment which failed to find a seconder, asked that his dissent be recorded

8 Civic Government (Scotland) Act 1982 (As Amended) – Application for Renewal of Private Hire Car Operator's Licence No 1145

A report dated 30 December 2019 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the renewal of private hire car operator's licence No 1145 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 Sergeant Rankin was heard.

The Committee decided: that the application for the renewal of private hire car operator's licence No 1145 in the Cambuslang and Rutherglen zone be granted for a period of 1 year.

Councillor Thomson, as the mover of an amendment which failed to find a seconder, asked that his dissent be recorded