

LICENSING COMMITTEE

Minutes of meeting held via Microsoft Teams on 24 August 2021

Chair:

Councillor David Shearer

Councillors Present:

Councillor Alex Allison (*substitute for Councillor Richard Lockhart*), Councillor Janine Calikes (*substitute for Councillor John Bradley*), Councillor Andy Carmichael, Councillor Grant Ferguson, Councillor Alistair Fulton, Councillor Geri Gray, Councillor Lynsey Hamilton, Councillor Mark Horsham, Councillor Martin Lennon, Councillor Eileen Logan, Councillor Julia Marrs (Depute), Councillor Catherine McClymont, Councillor Kenny McCreary, Councillor Davie McLachlan, Councillor Gladys Miller, Councillor Lynne Nailon (*substitute for Councillor Richard Nelson*), Councillor Bert Thomson, Councillor Jim Wardhaugh

Councillors' Apologies:

Councillor John Bradley, Councillor Poppy Corbett, Councillor Mary Donnelly, Councillor George Greenshields, Councillor Martin Grant Hose, Councillor Richard Lockhart, Councillor Mark McGeever, Councillor Jim McGuigan, Councillor Richard Nelson, Councillor John Ross (ex officio)

Attending:

Finance and Corporate Resources

M Cooper, Standards and Development Officer; C Lyon, Administration Officer; P MacRae, Administration Adviser; G Mays, Legal Services' Adviser; 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 29 June 2021 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 a Window Cleaner's Licence

A report dated 4 August 2021 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).

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.

The Legal Services' Adviser intimated that the applicant was unable to attend today's hearing and had requested an adjournment. He advised members that they could either deal with the application today or continue the application to a future meeting of this Committee.

Following discussion, Councillor Shearer, seconded by Councillor Marrs, moved that the application be continued to a future meeting of this Committee to allow the applicant the opportunity to be present. Councillor Wardhaugh, seconded by Councillor Thomson, moved as an amendment that the application be dealt with in the applicant's absence.

On a vote being taken by roll call, members voted as follows:-

Motion

Janine Calikes, Andy Carmichael, Grant Ferguson, Alistair Fulton, Geri Gray, Lynsey Hamilton, Mark Horsham, Martin Lennon, Catherine McClymont, Kenny McCreary, Davie McLachlan, Julia Marrs, Gladys Miller, Lynne Nailon, David Shearer

Amendment

Alex Allison, Eileen Logan, Bert Thomson, Jim Wardhaugh

4 members voted for the amendment and 15 for the motion which was declared carried.

The Committee decided: that the application by D Carrington, 9 Lagos Lane, Rutherglen for a window cleaner's licence in all zones within South Lanarkshire be continued to a future meeting of this Committee to allow the applicant the opportunity to be present.

Councillor Allison left the meeting after this item of business due to technical difficulties

6 Civic Government (Scotland) Act 1982 (As Amended) - Application for Renewal of Taxi Driver's Licence No 057

A report dated 5 August 2021 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the renewal of taxi driver's licence No 057 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 or represented. A representation had been received from Police Scotland.

The Legal Services' Adviser intimated that the applicant was unable to attend today's hearing and had requested an adjournment. He advised members that they could either deal with the application today or continue the application to a future meeting of this Committee.

The Committee decided:

that the application for the renewal of taxi driver's licence No 057 in the East Kilbride zone be continued to a future meeting of this Committee to allow the applicant the opportunity to be present.