

## LICENSING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 9 February 2011

### Chair:

Councillor Maureen Devlin

### Councillors Present:

Eileen Baxendale, Andy Carmichael, Jim Docherty, Barry Douglas, Lynn Filshie (Depute), Anne Higgins, Bill Holman, Eileen Logan, Clare McColl, Jean McKeown, Davie McLachlan, John McNamee, Archie Manson, Alice Marie Mitchell, Graham Scott, David Shearer, Hamish Stewart, Bert Thomson, Richard Tullett, David Watson

### Councillors' Apologies:

Beith Forrest, Edward McAvoy, Patrick Ross-Taylor

### Attending:

#### Corporate Resources

M Cooper, Standards and Development Officer (Licensing); C Lindsay, Licensing and Registration Team Leader; C Lyon, Administration Officer; T Stone, Licensing and Registration Manager; L Wyllie, Administration Assistant

### Order of Business

It was agreed that item 9 be dealt with prior to item 7 on the agenda to allow the licence holder the opportunity to be heard in the event that they or their representative were present.

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## 1 Declaration of Interests

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The following interests were declared:-

<b>Councillor(s)</b>	<b>Item(s)</b>	<b>Nature of Interest(s)</b>
Stewart	<p>Civic Government (Scotland) Act 1982 – Applications by South Lanarkshire Leisure and Culture Limited (formerly known as South Lanarkshire Leisure Limited) and G Campbell to Vary the Terms of:-</p> <ul style="list-style-type: none"> <li>♦ a Public Entertainment Licence for South Lanarkshire Lifestyle, Glenside Drive, Rutherglen</li> <li>♦ an Indoor Sports Licence for South Lanarkshire Lifestyle, Glenside Drive, Rutherglen</li> </ul>	Chair of Leisure and Culture Trust

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## 2 Minutes of Previous Meeting

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The minutes of the meeting of the Licensing Committee held on 15 December 2010 were submitted for approval as a correct record.

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

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### **3 Civic Government (Scotland) Act 1982 - Application by South Lanarkshire Leisure and Culture Limited (formerly known as South Lanarkshire Leisure Limited) and G Campbell to Vary the Terms of a Public Entertainment Licence for South Lanarkshire Lifestyle, Glenside Drive, Rutherglen**

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A report dated 10 January 2011 by the Executive Director (Corporate Resources) was submitted on an application for the variation of public entertainment licence No 2, previously granted by the Council under the Civic Government (Scotland) Act 1982.

The applicant proposed to alter the layout of the premises at South Lanarkshire Lifestyle, Glenside Road, Rutherglen and had requested that the maximum number of persons admitted to the premises at any one time be increased from 700 to 750.

**The Committee decided:** that the application by South Lanarkshire Leisure and Culture Limited (formerly known as South Lanarkshire Leisure Limited) and G Campbell to vary the terms of public entertainment licence No 2 for South Lanarkshire Lifestyle, Glenside Drive, Rutherglen to increase the maximum number of persons admitted to the premises at any one time to 750 be granted subject to the applicant complying with all recommendations made by Building Standards Services.

*Councillor Stewart, having declared an interest in the above item, withdrew from the meeting during its consideration*

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### **4 Civic Government (Scotland) Act 1982 - Application by South Lanarkshire Leisure and Culture Limited (formerly known as South Lanarkshire Leisure Limited) and G Campbell to Vary the Terms of an Indoor Sports Licence for South Lanarkshire Lifestyle, Glenside Drive, Rutherglen**

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A report dated 10 January 2011 by the Executive Director (Corporate Resources) was submitted on an application for the variation of indoor sports entertainment licence No 9, previously granted by the Council under the Civic Government (Scotland) Act 1982.

The applicant proposed to alter the layout of the premises at South Lanarkshire Lifestyle, Glenside Road, Rutherglen and had requested that the maximum number of persons admitted to the premises at any one time be increased from 700 to 750.

**The Committee decided:** that the application by South Lanarkshire Leisure and Culture Limited (formerly known as South Lanarkshire Leisure Limited) and G Campbell to vary the terms of indoor sports licence No 9 for South Lanarkshire Lifestyle, Glenside Drive, Rutherglen to increase the maximum number of persons admitted to the premises at any one time to 750 be granted subject to the applicant complying with all recommendations made by Building Standards Services.

*Councillor Stewart, having declared an interest in the above item, withdrew from the meeting during its consideration*

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### **5 Urgent Business**

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There were no items of urgent business.

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## **6 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 item(s) of business on the grounds that it was likely that there would be disclosure of exempt information in terms of Paragraph(s) 6 and 14 of Part I of Schedule 7A of the Act.

*Item 9 was dealt with at this point in the meeting*

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## **7 Civic Government (Scotland) Act 1982 - Licensing of Taxi Operators - Suspension of Licences**

A report dated 11 January 2011 by the Executive Director (Corporate Resources) was submitted proposing that consideration be given to whether taxi operator licence Nos 464, 467 and 469 should be suspended in terms of Paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982.

In terms of the Act, the opportunity of a hearing had been offered to the licence holder who was not present or represented.

**The Committee decided:** that taxi operator licence Nos 464, 467 and 469 for the Clydesdale zone be suspended with immediate effect for the remainder of the period of licence.

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## **8 Civic Government (Scotland) Act 1982 - Application for a Private Hire Car Driver's Licence - A Hussain, 13A London Street, Larkhall**

A report dated 23 November 2010 by the Executive Director (Corporate Resources) was submitted on an application for a private hire car driver's licence in terms of the Civic Government (Scotland) Act 1982.

In terms of the Act, 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 Strathclyde Police and Sergeant Anderson was heard.

**The Committee decided:** that the application by A Hussain, 13A London Street, Larkhall for a private hire car driver's licence in the Hamilton zone be refused.

*Councillor Docherty left the meeting during this item of business*

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## **9 Civic Government (Scotland) Act 1982 - Application for a Private Hire Car Driver's Licence - T Shana, Flat 4, 6 Redwood Lane, Hamilton**

A report dated 10 January 2011 by the Executive Director (Corporate Resources) was submitted on an application for a private hire car driver's licence in terms of the Civic Government (Scotland) Act 1982.

In terms of the Act, 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 Strathclyde Police and Sergeant Anderson was heard.

Councillor Baxendale, seconded by Councillor McColl, moved that the application be refused. Councillor Devlin, seconded by Councillor McLachlan, moved as an amendment that the application be granted for a period of 1 year. On a vote being taken by a show of hands, 4 members voted for the motion and 17 for the amendment which was declared carried.

**The Committee decided:** that the application by T Shana, Flat 4, 6 Redwood Lane, Hamilton for a private hire car driver's licence in the Hamilton zone be granted for a period of 1 year.