



Council Offices, Almada Street  
Hamilton, ML3 0AA

Tuesday, 19 June 2018

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, 22 May 2018

**Time:** 10:00

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

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

<b>Members are reminded to bring their fully charged tablets to the meeting</b>
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Yours sincerely

**Lindsay Freeland**  
**Chief Executive**

### **Members**

David Shearer (Chair), Julia Marrs (Depute Chair), John Ross (ex officio), John Bradley, Stephanie Callaghan, Andy Carmichael, Poppy Corbett, Mary Donnelly, Geri Gray, George Greenshields, Lynsey Hamilton, Mark Horsham, Martin Grant Hose, Martin Lennon, Richard Lockhart, Eileen Logan, Katy Loudon, Joe Lowe, Catherine McClymont, Kenny McCreary, Mark McGeever, Jim McGuigan, Davie McLachlan, Gladys Miller, Bert Thomson, Josh Wilson

### **Substitutes**

Alex Allison, Walter Brogan, Jackie Burns, Janine Calikes, Margaret Cowie, Maureen Devlin, Joe Fagan, Ann Le Blond, Ian McAllan, Richard Nelson, Carol Nugent, Collette Stevenson, Jared Wark

## **BUSINESS**

### **1 Declaration of Interests**

### **2 Minutes of Previous Meeting**

5 - 8

Minutes of the meeting of the Licensing Committee held on 8 May 2018 submitted for approval as a correct record. (Copy attached)

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### **Item(s) for Decision**

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

9 - 12

Report dated 1 May 2018 by the Executive Director (Finance and Corporate Resources). (Copy attached)

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### **Urgent Business**

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### **4 Urgent Business**

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

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### **Exclusion of Press and Public**

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### **5 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."

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### **Item(s) for Decision**

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### **6 Civic Government (Scotland) Act 1982 (As Amended) - Application for Renewal of Taxi Driver's Licence No 172**

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

### **7 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 671**

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

***For further information, please contact:-***

Clerk Name: Carol Lyon

Clerk Telephone: 01698 455652

Clerk Email: [carol.lyon@southlanarkshire.gov.uk](mailto:carol.lyon@southlanarkshire.gov.uk)



## LICENSING COMMITTEE

# 2

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 8 May 2018

**Chair:**

Councillor David Shearer

**Councillors Present:**

John Bradley, Walter Brogan (*substitute for Councillor Logan*), Stephanie Callaghan, Andy Carmichael, Poppy Corbett, Maureen Devlin (*substitute for Councillor McLachlan*), Mary Donnelly, Geri Gray, George Greenshields, Lynsey Hamilton, Mark Horsham, Martin Grant Hose, Martin Lennon, Richard Lockhart, Katy Loudon, Catherine McClymont, Kenny McCreary, Mark McGeever, Bert Thomson

**Councillors' Apologies:**

Eileen Logan, Joe Lowe, Jim McGuigan, Davie McLachlan, Julia Marrs (Depute), Gladys Miller, John Ross, Josh Wilson

**Attending:**

**Finance and Corporate Resources**

C Lyon, Administration Officer; C McKee, Licensing and Registration Co-ordinator; T Stone, Licensing and Registration Manager; L Wyllie, Administration Assistant

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### 1 Declaration of Interests

No interests were declared.

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### 2 Minutes of Previous Meeting

The minutes of the meeting of the Licensing Committee held on 27 March 2018 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 Minutes of Special Meeting

The minutes of the special meeting of the Licensing Committee held on 19 March 2018 were submitted for approval as a correct record.

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

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### 4 Urgent Business

There were no items of urgent business.

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## **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 Paragraphs 6 and 14 of Part I of Schedule 7A of the Act.

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## **6 Civic Government (Scotland) Act 1982 (As Amended) - Application for a Private Hire Car Driver's Licence**

A report dated 18 April 2018 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).

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.

**The Committee decided:** that the application by A Manaf, 30 Bramley Drive, Bellshill for a private hire car driver's licence in the East Kilbride zone be granted.

*Councillor Callaghan entered the meeting after this item of business*

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

A report dated 27 March 2018 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).

At its meeting on 27 March 2018, the Committee had decided that further details be requested from Police Scotland in respect of the applicant's protected convictions to allow it to consider the application.

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 his application. W Gillan was also heard in support of the application. A representation had been received from Police Scotland and Sergeant Tomlinson was heard.

**The Committee decided:** that the application by T Gillan, 9 Sutherland Avenue, Stonehouse for a private hire car driver's licence in the Hamilton zone be granted.

*[Reference: Minutes of 27 March 2018 (Paragraph 6)]*

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## **8 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Taxi Driver's Licence No 181**

A report dated 19 April 2018 by the Executive Director (Finance and Corporate Resources) was submitted proposing that consideration be given to whether taxi driver's licence No 181 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 A Murray, Solicitor Advocat. A letter of complaint had been received from Police Scotland and Sergeant Tomlinson was heard.

Councillor Loudon, seconded by Councillor Lennon, moved that the licence be suspended with immediate effect for the remainder of the period of the licence. Councillor Lockhart, seconded by Councillor Corbett, moved as an amendment that the licence be not suspended or revoked and that the licence holder be given a verbal warning. On a vote being taken by a show of hands, 7 members voted for the amendment and 11 for the motion which was declared carried.

**The Committee decided:** that taxi driver's licence No 181 for the Hamilton zone be suspended with immediate effect for the remainder of the period of the licence.





# Report

3

Report to:	<b>Licensing Committee</b>
Date of Meeting:	<b>22 May 2018</b>
Report by:	<b>Executive Director (Finance and Corporate Resources)</b>

Subject:	<b>Civic Government (Scotland) Act 1982 (As Amended) - Licensing of Taxis – Review of Taxi Fares</b>
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## 1. Purpose of Report

1.1. The purpose of the report is to:-

- ♦ progress the fares review in the East Kilbride, Hamilton and Clydesdale zones of South Lanarkshire
- ♦ update Committee on the position of the fares review in the Cambuslang and Rutherglen zone of South Lanarkshire

## 2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that, the review procedure for the East Kilbride, Hamilton and Clydesdale zones be commenced on the basis that there should be no increase in the current fares tariff and the tariff should remain unchanged; and
- (2) that, the review procedure for the Cambuslang and Rutherglen zone be further progressed.

## 3. Background

- 3.1. 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 Licensing Authorities must review taxi fares in their area every 18 months.
- 3.2. At its meeting held on 27 June 2013, the Licensing Committee agreed to calculate all future increases based on an agreed formula.

## 4. Present Position

- 4.1. East Kilbride taxi trade has indicated that this year they do not propose to seek an increase to the current fares tariff as per Appendix 1.
- 4.2. All Hamilton operators were written to, however, only a few operators have responded, who have indicated that no fares increase is being requested. The fares tariff would, therefore, remain unchanged as per Appendix 1.
- 4.3. Clydesdale operators have been written to twice and no responses have been received to date so it is assumed that they are not seeking a fares increase at this time and the fares tariff will remain unchanged as per Appendix 1.
- 4.4. As members will be aware, even if there is no increase in the fares tariff, the formal review procedures require to be commenced.

- 4.5. A few operators in the Cambuslang and Rutherglen zone are seeking an increase of varying amounts. A further report on this matter will be prepared for consideration once the appropriate figures are available.

**5. Employee Implications**

- 5.1. None.

**6. Financial Implications**

- 6.1. None.

**7. Other Implications**

- 7.1. The risk to the Council is that it fails to fulfil its duty to protect the public.

- 7.2. There are no apparent implications in terms of sustainability.

**8. Equality Impact Assessment and Consultation Arrangements**

- 8.1. There is no requirement to carry out an impact assessment in terms of the proposals contained within this report.

- 8.2. Consultation with the taxi trade has been carried out to ascertain views on whether or not they are seeking an increase in taxi fares this year.

**Paul Manning**

**Executive Director (Finance and Corporate Resources)**

1 May 2018

**Link(s) to Council Values/Ambitions/Objectives**

- ◆ Make communities safer, stronger and sustainable

**Previous References**

- ◆ Licensing Committee, 11 April 2017

**List of Background Papers**

- ◆ None

**Contact for Further Information**

If you would like to inspect the background papers or want further information, please contact:-

Teresa Stone, Licensing and Registration Manager

Ext: 4806 (Tel: 01698 454806)

E-mail: [teresa.stone@southlanarkshire.gov.uk](mailto:teresa.stone@southlanarkshire.gov.uk)

**Current Fares Tariffs**

<b>East Kilbride Zone</b>
not exceeding 880 yards £2.80  for the next NINE additional 293 yards or any part 30 pence  thereafter each additional 264 yards or any part 20 pence  (an average 2 mile hire of £5.50)

<b>Hamilton Zone</b>
not exceeding 880 yards £2.80  each additional 220 yards or any part 20 pence  (an average 2 mile hire of £5.20)

<b>Clydesdale Zone</b>
not exceeding one mile £3.00  for EACH additional 88 yards or any part thereof 10 pence  (an average 2 mile hire of £5.00)

