

## LICENSING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 25 May 2011

**Chair:**

Councillor Maureen Devlin

**Councillors Present:**

Jim Docherty, Lynn Filshie (Depute), Anne Higgins, Bill Holman, Eileen Logan, Clare McColl, Davie McLachlan, Archie Manson, Alice Marie Mitchell, Patrick Ross-Taylor, Graham Scott, David Shearer, Hamish Stewart, Bert Thomson, Richard Tullett, David Watson

**Councillors' Apologies:**

Eileen Baxendale, Andy Carmichael, Barry Douglas, Beith Forrest, Edward McAvoy, Jean McKeown, John McNamee

**Attending:****Corporate Resources**

G Bow, Administration Adviser; M Cooper, Standards and Development Officer (Licensing); T Stone, Licensing and Registration Manager; L Wyllie, Administration Assistant

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**1 Declaration of Interests**

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No interests were declared.

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**2 Minutes of Previous Meeting**

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The minutes of the meeting of the Licensing Committee held on 6 April 2011 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 - Licensing of Second-Hand Dealers**

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A report dated 18 April 2011 by the Executive Director (Corporate Resources) was submitted on the proposed Final Resolution on Licensing of Second-Hand Dealers.

At its meeting on 8 September 2010, the Committee had approved the draft Resolution on Licensing of Second-Hand Dealers which included a number of additional goods to be licensed and amended the categorisation of goods.

In terms of the relevant legislation, appropriate notice had been given in the press for a period of 28 days. No objections or representations had been received. It was now proposed to move to the next stage of the procedure which involved the making of a Final Resolution which would revoke all previous Resolutions and be effective from 26 February 2012. A further notice would require to be placed in local newspapers advising that the Resolution had been made.

### **The Committee decided:**

- (1) that the Final Resolution, effective from 26 February 2012, on Licensing of Second-Hand Dealers be approved as follows:-

“South Lanarkshire Council, in terms of Section 9 of the Civic Government (Scotland) Act 1982, resolves that as from a date not less than 9 months from the date of the making of this Resolution, the following categories of Second-Hand Dealing within South Lanarkshire shall require to be licensed and regulated in accordance with the provisions of Section 24 to 27 (inclusive) of the said Act:-

- ◆ Motor vehicles, motor vehicle spares and parts including tyres
- ◆ Motor cycles and parts thereof including tyres
- ◆ Caravans, motor homes and parts thereof
- ◆ Bicycles
- ◆ Domestic appliances
- ◆ Furniture including mattresses, headboards, pillows and cushions
- ◆ Jewellery, antiques, clocks, watches, gold, silver, medals, coins
- ◆ Musical instruments
- ◆ General household effects
- ◆ Televisions and radios
- ◆ Audio/video players and recorders
- ◆ Toys
- ◆ Trade person’s tools and equipment
- ◆ Photographic and cinematic equipment
- ◆ Telephonic instruments including mobile phones, fax machines and associated equipment
- ◆ Computer hardware, games hardware and related software
- ◆ DVDs, CDs and other audio/video playback or recording mediums
- ◆ Clothing

For the purpose of clarification, all previous Second-Hand Dealers’ resolutions will be revoked from the date this Resolution is passed.”; and

- (2) that appropriate notice be given in local newspapers that the Final Resolution had been made.

*[Reference: Minutes of 8 September 2010 (Paragraph 4)]*

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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 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.

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**6 Civic Government (Scotland) Act 1982 - Application for a Private Hire Car Driver's Licence - R Baadji, Flat 2/1, 2 McNeil Gardens, Glasgow**

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A report dated 27 April 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.

**The Committee decided:** that the application by R Baadji, Flat 2/1, 2 McNeil Gardens, Glasgow for a private hire car driver's licence in the Cambuslang and Rutherglen zone be refused.

*Councillor Docherty left the meeting after consideration of this item of business*

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**7 Civic Government (Scotland) Act 1982 - Application for a Private Hire Car Driver's Licence - F McCulloch, 35 Scotia Gardens, Hamilton**

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A report dated 28 April 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.

**The Committee decided:** that the application by F McCulloch, 35 Scotia Gardens, Hamilton for a private hire car driver's licence in the Hamilton zone be granted.