

LICENSING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 2 November 2011

Chair:

Councillor Maureen Devlin

Councillors Present:

Eileen Baxendale, Andy Carmichael, Lynn Filshie (Depute), Beith Forrest, Anne Higgins, Bill Holman, Eileen Logan, Clare McColl, Jean McKeown, Davie McLachlan, John McNamee, Archie Manson, Alice Marie Mitchell, Patrick Ross-Taylor, Graham Scott, David Shearer, Hamish Stewart, Richard Tullett, David Watson

Councillors' Apologies:

Jim Docherty, Barry Douglas, Edward McAvoy, Bert Thomson

Attending:**Finance and Corporate Resources**

F Carroll, Licensing Standards Officer (for item 11 only); C Lyon, Administration Officer; C McKee, Licensing Co-ordinator; T Stone, Licensing and Registration Manager; 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 21 September 2011 were submitted for approval as a correct record.

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

3 Civic Government (Scotland) Act 1982 - Licensing of Taxis - Review of Taxi Fares

A report dated 5 October 2011 by the Executive Director (Finance and Corporate Resources) was submitted on progress with the taxi fares review being undertaken within the Clydesdale, Hamilton and East Kilbride zones in South Lanarkshire in terms of Section 17 of the Civic Government (Scotland) Act 1982.

As previously reported to Committee, in order to progress the fares review, views from the taxi trade in those 3 areas had been invited on what increases there should be, if any, in the level of fares. The responses received from the taxi trade were summarised in the report and details on the current position and proposed increases were set out in the appendix to the report.

The Committee decided:

- (1) that there be no increase in fares within the Clydesdale, Hamilton and East Kilbride zones; and

- (2) that, in the event of any objections being received to the fares review proposed for the Clydesdale, Hamilton or East Kilbride zones in the course of the consultation process, the matter be referred to a future meeting of this Committee for consideration.

[Reference: Minutes of 21 September 2011 (Paragraph 5)]

4 Civic Government (Scotland) Act 1982 - Temporary Public Entertainment Licence - Debrief Report on Events held at Hamilton Park Racecourse in July 2011

A report dated 29 September 2011 by the Executive Director (Finance and Corporate Resources) was submitted, as requested by the Committee at its meeting on 22 June 2011, on the 2 events which had been held at Hamilton Park Racecourse on Friday 22 and Saturday 23 July 2011.

A debrief meeting involving representatives from the various parties involved had taken place at Hamilton Park Racecourse on 23 August 2011. Comments and observations raised at the debrief meeting were summarised in the report.

While no major issues had emerged relating to the events, the following would require to be considered for any future events:-

- ◆ the traffic management scheme
- ◆ the music levels following complaints from people in attendance that the sound level was too low

Both of those issues would require input from Strathclyde Police and Environmental Services respectively.

The Committee decided:

- (1) that the report be noted; and
- (2) that a representative from Hamilton Park Racecourse be invited to attend a meeting of this Committee to discuss any future applications.

[Reference: Minutes of 22 June 2011 (Paragraph 6)]

5 Civic Government (Scotland) Act 1982 - Application to Vary the Terms of a Late Hours Catering Licence - Odeon Cinemas Limited, 54 Whitcomb Street, London, and L McFadzean, 43 Glen Carron, St Leonards, East Kilbride

A report dated 3 October 2011 by the Executive Director (Finance and Corporate Resources) was submitted on an application for a variation of a late hours catering licence in terms of the Civic Government (Scotland) Act 1982.

The Committee decided: that the following application for variation of licence be granted subject to the conditions specified by the Executive Director (Finance and Corporate Resources):-

Applicant:	Odeon Cinemas Limited and L McFadzean
Type of Licence:	Late hours catering
Premises:	UCI Multiplex, T/a Odeon, Olympia Shopping Centre, East Kilbride
Days/Hours Requested:	Friday to Saturday from 11.00pm to 12.30am
Days/Hours Granted:	Friday to Saturday from 11.00pm to 12.30am

6 Urgent Business

There were no items of urgent business.

7 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.

8 Civic Government (Scotland) Act 1982 - Application for a Taxi Driver's Licence - A Hughes, 1 Fairview Drive, Kirkfieldbank

A report dated 27 September 2011 by the Executive Director (Finance and Corporate Resources) was submitted on an application for a taxi 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.

The Committee decided: that the application by A Hughes, 1 Fairview Drive, Kirkfieldbank for a taxi driver's licence in the Clydesdale zone be granted.

9 Civic Government (Scotland) Act 1982 - Application for an Itinerant Metal Dealer's Licence - J Esson, 14 Backmuir Road, Hamilton

A report dated 3 October 2011 by the Executive Director (Finance and Corporate Resources) was submitted on an application for an itinerant metal dealer'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.

The Committee decided: that the application by J Esson, 14 Backmuir Road, Hamilton for an itinerant metal dealer's licence be granted.

10 Civic Government (Scotland) Act 1982 - Application for Renewal of a Private Hire Car Driver's Licence - N Duffy, 21 Brisbane Street, Glasgow

A report dated 3 October 2011 by the Executive Director (Finance and Corporate Resources) was submitted on an application for renewal of private hire car driver's licence No 146 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 Devlin, seconded by Councillor McKeown, moved that the application be granted for a period of 1 year. Councillor Holman, seconded by Councillor McLachlan, moved as an amendment that the application be granted for the full 3 year period. On a vote being taken by a show of hands, 8 members voted for the amendment and 11 for the motion which was declared carried.

The Committee decided: that the application by N Duffy, 21 Brisbane Street, Glasgow for the renewal of private hire car driver's licence No 146 in the Rutherglen and Cambuslang zone be granted for a period of 1 year.

Councillor Filshie left and re-entered the meeting during this item of business

In terms of Standing Order No 13, the Chair adjourned the meeting after this item of business at 11.45am. Councillor Holman was not present when the meeting re-convened at 11.55am

11 Civic Government (Scotland) Act 1982 - Application for Grant of a Temporary Public Entertainment Licence by T Smith, 50 Saracen Street, Glasgow

A report dated 17 October 2011 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the grant of a temporary public entertainment 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 represented by Mr Currie, Solicitor who was heard in support of the application.

Councillor McLachlan, seconded by Councilor McNamee, moved that the application be refused. Councilor Stewart, seconded by Councillor Logan, moved as an amendment that the application be granted subject to Mr Smith complying with all conditions imposed. On a vote being taken by a show of hands, 7 members voted for the amendment and 10 for the motion which was declared carried.

The Committee decided: that the application by T Smith, 50 Saracen Street, Glasgow for the grant of a Temporary Public Entertainment Licence be refused.

Councillors A M Mitchell and Watson left the meeting during consideration of this item of business