



Council Offices, Almada Street
Hamilton, ML3 0AA

Monday, 29 January 2024

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, 06 February 2024
Time: 10:00
Venue: Hybrid - Committee Room 1, Council Offices, Almada Street, Hamilton, ML3 0AA

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

Yours sincerely

Paul Manning
Chief Executive

Members

Andy Carmichael (Chair), Bert Thomson (Depute Chair), Joe Fagan (ex officio), Poppy Corbett, Mary Donnelly, Julia Marrs, Monique McAdams, Mark McGeever, David Shearer, Helen Toner

Substitutes

Robert Brown, Janine Calikes, Margaret Cowie, Mark Horsham, Kenny McCreary, Davie McLachlan

BUSINESS

1 Declaration of Interests

2 Minutes of Previous Meeting

3 - 4

Minutes of the meeting of the Licensing Committee held on 23 January 2024 submitted for approval as a correct record. (Copy attached)

Item(s) for Decision

3 Civic Government (Scotland) Act 1982 (As Amended) - Application to Vary the Terms of Public Entertainment Licence No 139

5 - 16

Report dated 17 January 2024 by the Chief Executive. (Copy attached)

Urgent Business

4 Urgent Business

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

Exclusion of Press and Public

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 Paragraph 14 of Part I of Schedule 7A of the Act."

Item(s) for Decision

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

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

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

- 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:	07385370065
Clerk Email:	carol.lyon@southlanarkshire.gov.uk

LICENSING COMMITTEE

2

Minutes of meeting held via Confero and in Committee Room 1, Council Offices, Almada Street, Hamilton on 23 January 2024

Chair:

Councillor Andy Carmichael

Councillors Present:

Councillor Poppy Corbett, Councillor Margaret Cowie (*substitute for Councillor Monique McAdams*), Councillor Mary Donnelly, Councillor Julia Marrs, Councillor David Shearer, Councillor Bert Thomson (Depute), Councillor Helen Toner

Councillors' Apologies:

Councillor Joe Fagan (ex officio), Councillor Monique McAdams, Councillor Mark McGeever

Attending:

Finance and Corporate Resources

C Lyon, Administration Officer; D McLardy and S O'Neill, Solicitors; J Roebuck, Licensing and Registration Team Leader; 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 28 November 2023 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 Paragraphs 6 and 14 of Part I of Schedule 7A of the Act.

5 Civic Government (Scotland) Act 1982 (As Amended) - Application to Vary the Terms of Late Hours Catering Licence No 013

A report dated 5 January 2024 by the Chief Executive was submitted on an application to vary the terms of late hours catering licence No 013 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 but represented by A Hunter, Solicitor.

The Committee decided: that the application to vary the terms of late hours catering licence No 013 be granted subject to the conditions specified by the Executive Director (Finance and Corporate Resources):-

Applicant:	BP Oil UK Limited and I Carson
Type of Licence:	Late Hours Catering
Premises:	BP Queensway North SF Connect, Queensway, East Kilbride
Current Days/Hours:	Monday to Sunday 11.00pm until 3.00am
Days/Hours Requested:	Monday to Sunday 11.00pm until 5.00am
Days/Hours Granted:	Monday to Sunday 11.00pm to 5.00am

6 Civic Government (Scotland) Act 1982 (As Amended) - Application for Grant of Late Hours Catering Licence

A report dated 5 January 2024 by the Chief Executive was submitted on an application for the grant of a late hours catering 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 but represented by K Clancy, Solicitor and C Levy, Area Manager, TG Convenience Stores Limited.

The Committee decided: that the application for a late hours catering licence be granted subject to the conditions specified by the Executive Director (Finance and Corporate Resources):-

Applicant:	TG Convenience Stores Limited and S Thomas
Type of Licence:	Late Hours Catering
Premises:	Burnbank Service Station, 91 Burnbank Road, Hamilton
Days/Hours Requested:	Monday to Sunday 11.00pm until 5.00am
Days/Hours Granted:	Monday to Sunday 11.00pm until 5.00am

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

A report dated 4 January 2024 by the Chief Executive was submitted on an application for the grant of 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. An objection had been received from Police Scotland and Sergeant Brown was heard. Comments had also been received from the applicant's Solicitor.

The Committee decided: that the application by A Hamad, Flat 8c, 187 Wester Common Road, Glasgow for the grant of a private hire car driver's licence in the Cambuslang and Rutherglen zone be refused.

Report

3

Report to:	Licensing Committee
Date of Meeting:	6 February 2024
Report by:	Chief Executive

Subject:	Civic Government (Scotland) Act 1982 (As Amended) - Application to Vary the Terms of Public Entertainment Licence No 139
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1. Purpose of Report

1.1. The purpose of the report is to consider the following application:-

Applicant:	South Lanarkshire Leisure and Culture Limited and K Morrison
Type of Licence:	Public Entertainment
Address of Premises:	South Lanarkshire Lifestyles Fairhill, Neilsland Road, Hamilton
Current Days and Hours:	Monday to Sunday 8.00am to 1.00am – as and when required
Proposed Days and Hours:	Monday to Sunday 7.00am to 1.00am – as and when required

2. Recommendation(s)

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

(1) that, the application to vary the terms of public entertainment licence No 139 be granted.

3. Background

3.1. Before a premise can be operated as a place of public entertainment an application requires to be submitted to the Council for the appropriate licence.

3.2. In terms of the Civic Government (Scotland) Act 1982 (as amended), each application requires to be dealt with on its own merit.

4. Present Position

4.1. The applicant currently holds a public entertainment licence. The applicant is requesting to change the hours of operation.

4.2. No objections have been received from consultees.

4.3. Comments received from applicant giving reasons for change of hours.

5. Employee Implications

5.1. None.

6. Financial Implications

6.1. None.

7. Climate Change, Sustainability and Environmental Implications

7.1. No assessment of the impact on the environment has been made as the Civic Government (Scotland) Act 1982 (as amended) does not allow us to take this into account when determining the application.

8. Other Implications

8.1. The risk to the Council is that it fails to fulfil its duty to protect the public. This is mitigated by the application process.

9. Equality Impact Assessment and Consultation Arrangements

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

9.2. In all cases, when an application under the Civic Government (Scotland) Act 1982 (as amended) is received it is copied to Police Scotland, Scottish Fire and Rescue, Planning and Building Standards, Environmental Services, Roads and Transportation Services and Consumer and Trading Standards consultation.

Paul Manning
Chief Executive

17 January 2024

Link(s) to Council Values/Priorities/Outcomes

◆ Focused on people and their needs

Previous References

◆ None

List of Background Papers

◆ None

Contact for Further Information

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

Margaret Mary Wilson, Legal Services Manager

Ext: 4501 (Tel: 01698 454501)

E-mail: margaretmary.wilson@southlanarkshire.gov.uk

LICENSING COMMITTEE – 6 February 2024

Licensing of Places of Public Entertainment					
Name and Address of Applicant	Premises	Current Days and Hours	Proposed Days and Hours	Comments	Recommendation
South Lanarkshire Leisure and Culture Ltd Floor 5 Council Offices Almada Street Hamilton and K Morrison	South Lanarkshire Lifestyles Fairhill Neilsland Road Hamilton	Monday to Sunday 8.00am to 1.00am – as and when required	Monday to Sunday 7.00am to 1.00am – as and when required	Variation of Public Entertainment Licence No 139. Comments received from applicant giving reasons for change of hours.	Grant

Civic Government (Scotland) Act 1982**Application pack to change the terms of a licence (variation)**

Answer question 1 (if you are applying for yourself) or 2 (if you are representing a company or partnership).

1 Complete this section if you are applying for yourself

a Your last name

Title

Your previous or maiden name (or any other name you used to be known by)

Your first name or names

b Home address and postcode

c Phone number (during business hours)

d Email address

e Age

f Date of birth

g Place of birth

h Do you have a right to work in the United Kingdom? Yes No
If you have answered 'yes', give details of your national insurance number below and provide

proof of your national insurance number, for example a national insurance card, wage slip, P60 or any formal communication from the Tax Office.

National insurance number

Important - if you do not have a national insurance number you will have to provide evidence of your right to work in the United Kingdom

- i Give the name and address of the person, company or firm that employs you (tell us if you are self-employed).

- j Are you the day-to-day manager of the business? Yes No

If 'No', give us the following details for the employee or agent who will be the day-to-day manager of the business.

Last name

Title

Previous or maiden name

First name or names

Home address and postcode

Phone number (during business hours)

Email address

Age

Date of birth

Place of birth

National Insurance number

2 Complete this section if you represent a company or partnership

a Full name of company or partnership

South Lanarkshire Leisure & Culture

b Address of the main or registered office

Council Offices, Floor 5
Almada Street, Hamilton, ML3 0EW

c Give details of directors, partners or other people responsible for managing the business.

	Full name (including maiden name or any previous name) of each director, partner or other responsible people	Home addresses within the last three years	Date of birth	National Insurance number*
Partner 1	List of SLLC Board members attached			
Partner 2				
Partner 3				
Partner 4				

****Important - you must provide proof of your national insurance number, for example a national insurance card, wage slip, P60 or any formal communication from the Tax Office. If you are not able to provide a national insurance number for each person you will have to provide evidence of the person's right to work in the United Kingdom***

d Details of the employee or agent who will be the day-to-day manager of the business

Full name (including maiden name or any previous name)	Home address within the last three years	Date of birth	National Insurance number*
Kay Morrison	c/o. South Lanarkshire Leisure & Culture Ltd Council Offices, Floor 5 Almada Street Hamilton, ML3 0EW		

e Phone number (business hours) of the person or agent who will be the day-to-day manager

01698 476262

You must answer all the following questions.

3 The type of licence you are applying to vary (please tick)

- | | | | |
|-----------------------------|--------------------------|------------------------|-------------------------------------|
| Booking office | <input type="checkbox"/> | Metal dealer | <input type="checkbox"/> |
| Indoor sports | <input type="checkbox"/> | Piercing and tattooing | <input type="checkbox"/> |
| Knife dealer | <input type="checkbox"/> | Public entertainment | <input checked="" type="checkbox"/> |
| Late-hours catering | <input type="checkbox"/> | Second-hand dealers | <input type="checkbox"/> |
| Market operator | <input type="checkbox"/> | Street trader | <input type="checkbox"/> |
| Skin piercing and tattooing | <input type="checkbox"/> | Sex shops | <input type="checkbox"/> |

4 Current licence number

Hamilton 139

5 Address of the premises

South Lanarkshire Lifestyles – Fairhill
Neilsland Road, Hamilton, ML3 8HJ

6 Do you want to change the days and hours which you operate?

Yes No

If 'Yes', give the days and hours you plan to open.

Change opening time from 8am to 7am, so new opening hours will be:
Monday to Sunday 0700-0100 – As and when required

7 Give details of any other changes you wish to make to your licence

n/a

8 Only answer this question if you are a street trader changing the location where you trade

Is the new location within 50 metres of any school?

Yes No

If 'Yes', what is the name of the school?

Name of school

Approximately how far from the school are you planning to trade?

Declaration

As far as I know, the details I have given on this form are correct. I enclose

- the application fee (see note four)
- the completed application form
- a form of identification with my name and address on it, for example a recent gas bill or bank statement
- proof of my national insurance number, for example a national insurance card, wage slip, P60 or any formal communication from the Tax Office.
- if your application is to change the days and hours you are open, we may need a copy of your planning permission
- if your application is for a street trader's licence, and you are changing the location where you are trading from, you will need to provide us with a map or sketch showing the area where you are planning to trade from.
- from 1 September 2014 a form of photographic identification, for example passport or driving licence photo-card.

Date

Your signature



Your position in the company or partnership you work for (if this applies to you)



How we collect and use the information

We may check the information provided by you, or information about you provided by a third party, with other information held by us. We may also get information from certain third parties, or give information to them to check the accuracy of information, to prevent or detect crime, or to protect public funds in other ways, as permitted by law. These third parties include Government Departments and local authorities.

We will place the details you give us in application forms in a public register that will be available in our offices. The information will be available to the public.

We will not use information about you for other purposes unless the law allows us to and where necessary, you have consented to the use of your information.

We are responsible for handling information you have provided (or that others have provided about you) in line with the terms of the Data Protection Act 1998. If you want to know more about the information we have about you, or the way we use your information, you can ask at the Licensing and Registration office.

Firstname	Surname
John	Anderson
Angela	Beggan
Andrea	Cowan
Robert	Craig
Craig	Cunningham
Maureen	Devlin
Ross	Lambie
Mo	Razzaq
Stephen	Smellie
Alan	Morrison
Avril	Osborne
Neil	Brown
Chris	Goudie
Lisa	Maule

From: Mackie, Tracy <Tracy.Mackie@southlanarkshireleisure.co.uk> **On Behalf Of** Morrison, Kay
Sent: Wednesday, January 24, 2024 11:31 AM
To: Hunter, Gillian <Gillian.Hunter@southlanarkshire.gov.uk>; Lennox, Debbie <Debbie.Lennox@southlanarkshireleisure.co.uk>
Subject: RE: Application for a Variation of a Variation of a Public Entertainment Licence - South Lanarkshire Lifestyles Fairhill, Neilsland Road, Hamilton - HAM139

Hi Gillian

Please find written submission below from Kay Morrison Chief Executive of South Lanarkshire Leisure and Culture.

Thanks

Tracy

Following staff discussions and customer feedback, South Lanarkshire Leisure and Culture are considering the option to change the existing opening hours of the gym facilities at South Lanarkshire Lifestyles Fairhill from 9am to 7am. There is no proposal to review the closing time. The option to open earlier will also provide the opportunity to introduce a new early morning fitness class, should demand be sufficient.

Having the Public Entertainment Licence in place from 7am will allow SLLC to move quickly to implement the change to opening hours, as required, which will increase availability of leisure provision and boost the centres attendances and income through increased fitness memberships. It will also bring the Public Entertainment License in line with the existing Indoor Sports License which is currently applicable from 7am.

The proposal has not been implemented and SLLC remain compliant with the current licence conditions, however SLLC are keen to have the option in place to extend the opening hours of the gym, as and when required.

Tracy Mackie
Secretary to the Chief Executive
South Lanarkshire Leisure and Culture SCIO
Floor 5
Council Offices
Almada Street
Hamilton
ML3 0EW

Tel: 01698 454374

www.slleisureandculture.co.uk



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Healthier, happier, more connected lives.

For more information about how SLLC uses your personal data, please see our Privacy Notice at: <http://www.slleisureandculture.co.uk/privacynotice>

South Lanarkshire Leisure and Culture SCIO is a recognised Scottish Charity, No. SC032549



Contact us via an online
Sign Language Interpreter
Contact Scotland BSL

More information about Contact Scotland BSL can be found at their website <https://contactscotland-bsl.org/>