

LICENSING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 11 September 2018

Chair:

Councillor David Shearer

Councillors Present:

Jackie Burns (*substitute for Councillor Lowe*), 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, Catherine McClymont, Kenny McCreary, Mark McGeever, Julia Marrs (Depute), Gladys Miller, Bert Thomson, Josh Wilson

Councillors' Apologies:

John Bradley, Joe Lowe, Jim McGuigan, Davie McLachlan, John Ross (ex officio)

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

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 August 2018 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 Paragraph 14 of Part I of Schedule 7A of the Act.

5 Civic Government (Scotland) Act 1982 (As Amended) - Application for Renewal of Taxi Driver's Licence No 025

A report dated 21 August 2018 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the renewal of taxi driver's licence No 025 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. A representation had been received from Police Scotland and Sergeant Tomlinson was heard.

The Committee decided: that the application for the renewal of taxi driver's licence No 025 in the East Kilbride zone be granted for a period of 1 year.

6 Civic Government (Scotland) Act 1982 (As Amended) - Application for Renewal of Private Hire Car Driver's Licence No 602

A report dated 21 August 2018 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the renewal of private hire car driver's licence No 602 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 Tomlinson was heard.

The Committee decided: that the application for the renewal of private hire car driver's licence No 602 in the Cambuslang and Rutherglen zone be refused.

Councillor Donnelly left 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 11.15am and reconvened at 11.20am. Councillor Burns was not present when the meeting reconvened

7 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 186

A report dated 16 August 2018 by the Executive Director (Finance and Corporate Resources) was submitted:-

- ◆ advising on action taken, in terms of Standing Order No 36(c), in view of the timescales involved and a serious threat to public order or safety, by the Executive Director (Finance and Corporate Resources), in consultation with the Chair and an ex officio member, to order the immediate suspension of private hire car driver's licence No 186, with effect from 16 August 2018
- ◆ proposing that consideration be given to whether private hire car driver's licence No 186 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. A complaint had been received from Police Scotland and Sergeant Tomlinson was heard.

The licence holder advised the Committee that he intended to surrender his licence.

The Licensing and Registration Manager advised that Committee could either continue with the hearing or accept the surrender of licence.

Councillor Carmichael, seconded by Councillor Hose, moved that Committee proceed with the hearing. Councillor Callaghan, seconded by Councillor Logan, moved as an amendment that Committee accept the surrender of the licence. 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:

- (1) that the action taken, in terms of Standing Order No 36(c), by the Executive Director (Finance and Corporate Resources), in consultation with the Chair and an ex officio member to suspend private hire car driver's licence No 186, with effect from 16 August 2018, for a maximum period of 6 weeks, be noted; and
- (2) that private hire car driver's licence No 186 for the East Kilbride zone be suspended with immediate effect for the remainder of the period of the licence.