

LICENSING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 14 December 2011

Chair:

Councillor Maureen Devlin

Councillors Present:

Andy Carmichael, Jim Docherty, Barry Douglas, Lynn Filshie (Depute), Beith Forrest, Anne Higgins, Bill Holman, 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, Eileen Logan, Edward McAvoy, Jean McKeown, John McNamee

Attending:

Finance and Corporate Resources

C McKee, Licensing Co-ordinator; S Somerville, Administration Adviser; 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 2 November 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 - Application to Vary the Terms of a Late Hours Catering Licence - McDonald's Restaurants Limited, 11/59 High Road, East Finchley, London and J Glen, 12/1, 179 Finnieston Street, Glasgow

A report dated 23 November 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:	McDonald's Restaurants Limited and J Glen
Type of Licence:	Late hours catering
Premises:	Palace Grounds Retail Park, Hamilton
Days/Hours Requested:	Monday to Wednesday from 11.00pm to 12.00am
Days/Hours Granted:	Monday to Wednesday from 11.00pm to 12.00am

4 Civic Government (Scotland) Act 1982 - Licensing of Taxis

A report dated 25 November 2011 by the Executive Director (Finance and Corporate Resources) was submitted on a request by East Kilbride Taxis for approval to display stickers in their vehicles promoting a Zero Tolerance Policy for taxi and private hire drivers. An example of the sticker was attached as an appendix to the report.

Details were provided on the costs associated with the supply of the relevant stickers and it was highlighted that, in this instance, the cost for supplying their vehicles with stickers would be met by East Kilbride Taxis. In the event that the initiative was to be rolled out to the rest of the taxi and private hire trade, further consideration would require to be given to the payment of costs.

The Committee decided: that the request by East Kilbride Taxis to display stickers promoting a Zero Tolerance Policy for taxi and private hire drivers be approved subject to:-

- ◆ the prior approval of the Licensing and Registration Manager for any proposed changes to the format of the sticker and the location of the stickers within the vehicles
- ◆ the cost of the stickers for their vehicles being met by East Kilbride Taxis

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

A report dated 25 November 2011 by the Executive Director (Finance and Corporate Resources) was submitted on progress with the taxi fares review being undertaken within the East Kilbride zone in South Lanarkshire in terms of Section 17 of the Civic Government (Scotland) Act 1982.

At the previous meeting of the Committee, it had been agreed to progress the fares review in the East Kilbride zone of South Lanarkshire on the basis that there would be no increase in the fares tariff. Following the required public notice of this in the press, a written representation had been received from East Kilbride Taxi Owners' Association who represented the majority of taxi operators in the East Kilbride area.

Having considered the representation, it was proposed that the existing:-

- ◆ 2 mile hire charge of £5.20 be increased by 30p to £5.50
- ◆ unsociable hours surcharge of 60p between the hours of 10.00pm and 5.00am on Fridays and Saturdays be increased by 20p to 80p

The Committee decided:

- (1) that, in the East Kilbride zone, the 2 mile hire charge be increased to £5.50; and
- (2) that the unsociable hours surcharge between the hours of 10.00pm and 5.00am on Fridays and Saturdays be increased to 80p.

[Reference: Minutes of 2 November 2011 (Paragraph 3)]

Councillor Scott left the meeting after consideration of this item of business

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 1982, 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 to Vary the Terms of a Late Hours Catering Licence - McDonald's Restaurants Limited, 11/59 High Road, East Finchley, London and C Anderson, 80 Farme Castle Court, Rutherglen

A report dated 21 November 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.

In terms of the Act, the opportunity of a hearing had been offered to the applicant who was present and represented by Ms Gruar, Solicitor who was heard in support of the application.

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:	McDonald's Restaurants Limited and C Anderson
Type of Licence:	Late hours catering
Premises:	11 Queensway, East Kilbride
Days/Hours Requested:	Monday to Sunday from 11.00pm to 5.00am
Days/Hours Granted:	Monday to Sunday from 11.00pm to 5.00am

9 Civic Government (Scotland) Act 1982 - Application to Grant a Private Hire Car Driver's Licence - J Nicholson, Flat 2/3, 76 Mansionhouse Gardens, Glasgow

A report dated 10 November 2011 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.

In terms of the Act, the opportunity of a hearing had been offered to the applicant who was not present or represented.

The Committee decided: that the application by J Nicholson, Flat 2/3, 76 Mansionhouse Gardens, Glasgow for a private hire car driver's licence in the Rutherglen and Cambuslang zone be refused.

10 Civic Government (Scotland) Act 1982 - Application for a Second-Hand Dealer's Licence - S Lindsay, Flat 2/2, 6 Gryffe Street, Glasgow

A report dated 21 November 2011 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the grant of a second-hand 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. A representation had been received from Strathclyde Police and Sergeant Anderson was heard.

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

Applicant:	S Lindsay, Flat 2/2, 6 Gryffe Street, Glasgow
Type of Licence:	Second-hand dealer
Premises:	21 Springburn Place, East Kilbride
Days/Hours Requested:	Monday to Friday from 9.30am to 5.30pm; Saturday from 10.00am to 3.00pm; Sunday 12 noon to 3.00pm
Days/Hours Granted:	Monday to Friday from 9.30am to 5.30pm; Saturday from 10.00am to 3.00pm; Sunday 12 noon to 3.00pm