

# LICENSING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 22 June 2011

## **Chair:**

Councillor Maureen Devlin

## **Councillors Present:**

Eileen Baxendale, Jim Docherty, Barry Douglas, Lynn Filshie (Depute), Anne Higgins, Bill Holman, Eileen Logan, Clare McColl, Davie McLachlan, John McNamee, Archie Manson, Patrick Ross-Taylor, David Shearer, Hamish Stewart, Bert Thomson, Richard Tullett, David Watson

## **Councillors' Apologies:**

Andy Carmichael, Beith Forrest, Edward McAvoy, Jean McKeown, Alice Marie Mitchell, Graham Scott

## **Attending:**

### **Corporate Resources**

M Clinton, Licensing Standards Officer (Item 7 Only); C Lyon, Administration Officer; C McKee, Licensing Co-ordinator; T Stone, Licensing and Registration Manager; L Robertson, Team Leader/Registrar; L Wyllie, Administration Assistant

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## **1 Declaration of Interests**

No interests were declared.

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## **2 Minutes of Previous Meeting**

The minutes of the meeting of the Licensing Committee held on 25 May 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 Urgent Business**

There were no items of urgent business.

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## **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 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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## **5 Civic Government (Scotland) Act 1982 - Application for a Private Hire Car Driver's Licence - G Hamill, 19 Bute Avenue, Motherwell**

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A report dated 2 June 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 represented by Mr O'Hanlan, Solicitor who was heard in support of his application. An objection had been received from Strathclyde Police and Sergeant Anderson was heard.

Councillor McColl, seconded by Councillor Stewart, moved that the application be refused. Councillor Douglas, seconded by Councillor Docherty, moved as an amendment that the application be granted for a period of 1 year. On a vote being taken by a show of hands, 3 members voted for the motion and 14 for the amendment which was declared carried.

**The Committee decided:** that the application by G Hamill, 19 Bute Avenue, Motherwell for a private hire car driver's licence in the East Kilbride zone be granted for a period of 1 year.

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## **6 Civic Government (Scotland) Act 1982 - Application for a Temporary Public Entertainment Licence by Hamilton Park Racecourse Company Limited and V Kyles**

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A report dated 2 June 2011 by the Executive Director (Corporate Resources) was submitted on an application for 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 heard in support of her application.

Observations from Building Standards, Environmental Health, Roads Services and Strathclyde Police were heard.

It was proposed that a formal debrief be arranged following the events on 22 and 23 July 2011 with all parties concerned and that the outcome of the debrief be reported to a future meeting of this Committee.

**The Committee decided:**

- (1) that the following application be granted subject to the conditions specified by the Executive Director (Corporate Resources) and all conditions imposed by Building Standards, Environmental Health and Roads Services being complied with:-

Applicant:	Hamilton Park Racecourse Company Limited and V Kyles, Hamilton Park Racecourse, Bothwell Road, Hamilton
Type of Licence:	Temporary public entertainment
Premises:	Hamilton Park Racecourse, Bothwell Road, Hamilton
Days/Hours Requested:	Friday 22 July 2011 and Saturday 23 July 2011 from 4.00pm to 11.00pm
Days/Hours Granted:	Friday 22 July 2011 and Saturday 23 July 2011 from 4.00pm to 11.00pm

- (2) that a formal debrief be arranged following the events and the outcome reported to a future meeting of this Committee.

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

*In terms of Standing Order No 13, the Chair adjourned the meeting after this item of business at 11.40am. Councillors Baxendale, Manson and Ross-Taylor were not present when the meeting re-convened at 11.50am*

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## **7 Civic Government (Scotland) Act 1982 - Licensing of Places of Public Entertainment - Suspension of Licence**

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A report dated 3 June 2011 by the Executive Director (Corporate Resources) was submitted proposing that consideration be given to whether public entertainment licence No 141 should be suspended.

In terms of the Act, the opportunity of a hearing had been offered to the licence holder who was present and represented by J McKissok, Solicitor who was heard in support of the licence holder retaining his licence.

Observations from Environmental Health and Roads Services were heard. Representations were also heard from local residents.

Councillor Douglas, seconded by Councillor Watson, moved that the licence be suspended with immediate effect. Councillor Logan, seconded by Councillor Stewart, moved as an amendment that the licence holder be allowed to continue to trade. On a vote being taken by a show of hands, 5 members voted for the amendment and 9 for the motion which was declared carried.

**The Committee decided:** that public entertainment licence No 141 be suspended with immediate effect for the unexpired portion of the licence.