

LICENSING COMMITTEE

Minutes of meeting held in Committee Room 1, Council Offices, Almada Street, Hamilton on 21 August 2018

Chair:

Councillor David Shearer

Councillors Present:

Stephanie Callaghan, Andy Carmichael, Mary Donnelly, George Greenshields, Mark Horsham, Martin Lennon, Richard Lockhart, Eileen Logan, Katy Loudon, Catherine McClymont, Kenny McCreary, Mark McGeever, Jim McGuigan, Julia Marrs (Depute), Gladys Miller, Bert Thomson, Jared Wark (*substitute for Councillor Corbett*)

Councillors' Apologies:

John Bradley, Poppy Corbett, Geri Gray, Lynsey Hamilton, Martin Grant Hose, Joe Lowe, Davie McLachlan, John Ross (ex officio), Josh Wilson

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 7 August 2018 were submitted for approval as a correct record.

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

3 Minutes of Public Processions Panel

The minutes of the meeting of the Public Processions Panel held on 31 May 2018 were submitted for approval as a correct record.

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

[Reference: Minutes of 12 June 2018 (Paragraph 3)]

4 Civic Government (Scotland) Act 1982 (As Amended) - Licensing of Taxis - Review of Taxi Fares

A report dated 1 August 2018 by the Executive Director (Finance and Corporate Resources) was submitted on the further progress of the fares review in the East Kilbride and Cambuslang and Rutherglen zones of South Lanarkshire.

In terms of Section 17 of the Civic Government (Scotland) Act 1982 (as amended), by Section 174 of the Criminal Justice and Licensing (Scotland) Act 2010, there was a requirement for licensing authorities to review taxi fares in their area every 18 months.

At its meeting on 22 May 2018, this Committee agreed that, subject to any representations received, the fares review for the East Kilbride zone would commence on the basis that there would be no increase in the current tariff. The proposed fares review for the East Kilbride zone had been advertised in the press and in accordance with the legislation. During the consultation period, East Kilbride Taxi Owners' Association (TOA) had requested a fares increase based on the formula. The proposed increase was detailed in Appendix 1 to the report.

Several requests had been received for a fares increase in the Cambuslang and Rutherglen zone and those were detailed in Appendix 2 to the report.

The fares review for the Cambuslang and Rutherglen zone would be advertised in the press for a period of one month to enable anyone to comment on or object to the proposed changes to the fares tariff.

The Committee decided:

- (1) that the request from East Kilbride TOA for an increase in fares in the East Kilbride zone based on the formula and rounded up, as detailed in the report, be approved; and
- (2) that the request from Cambuslang and Rutherglen taxi trade for an increase in fares in the Cambuslang and Rutherglen zone based on the formula and rounded up, as detailed in the report, be approved.

[Reference: Minutes of 22 May 2018 (Paragraph 3)]

5 Urgent Business

There were no items of urgent business.

6 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.

7 Civic Government (Scotland) Act 1982 (As Amended) - Application for a Taxi Driver's Licence

A report dated 31 July 2018 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 (as amended).

An additional letter had been received from the applicant and an objection had been received from Police Scotland.

Councillor Carmichael, seconded by Councillor Shearer, moved that the application be refused. Councillor McClymont, seconded by Councillor Donnelly, moved as an amendment that the application be continued to a future meeting of this Committee to allow the applicant to attend and be heard in support of his application. On a vote being taken by a show of hands, 7 members voted for the amendment and 11 for the motion which was declared carried

The Committee decided: that the application by T Rasool, 265 Arden Craig Road, Glasgow for a taxi driver's licence in the Cambuslang and Rutherglen zone be refused.

8 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 671

A report dated 31 July 2018 by the Executive Director (Finance and Corporate Resources) was submitted proposing that consideration be given to whether private hire car driver's licence No 671 should be suspended or revoked.

At its meeting on 22 May 2018, the Committee agreed that consideration as to whether private hire car driver's licence No 671 be suspended or revoked be continued to a future meeting of this Committee subject to the licence remaining suspended in the interim period.

The Licensing and Registration Manager advised that the applicant had recently changed solicitors and the new solicitor had requested that the application be adjourned to a future meeting of this Committee.

The Committee decided: that consideration as to whether private hire car driver's licence No 671 should be suspended or revoked be continued to a future meeting of this Committee subject to the licence remaining suspended in the interim period.

[Reference: Minutes of 22 May 2018 (Paragraph 7)]

9 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 673

A report dated 31 July 2018 by the Executive Director (Finance and Corporate Resources) was submitted proposing that consideration be given to whether private hire car driver's licence No 673 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 not present or represented. A letter of complaint had been received from Police Scotland.

The Committee decided: that private hire car driver's licence No 673 for the Cambuslang and Rutherglen zone be suspended with immediate effect for the remainder of the period of the licence.