

LICENSING COMMITTEE

Minutes of meeting held via Microsoft Teams on 9 August 2022

Chair:

Councillor Andy Carmichael

Councillors Present:

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

Councillors' Apologies:

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

Attending:

Finance and Corporate Resources

M Cooper, Standards and Development Officer; P MacRae, Administration Adviser; G Mays, Legal Services' Adviser; 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 14 June 2022 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 (As Amended) - Licensing of Taxis – Review of Taxi Fares

A report dated 21 July 2022 by the Executive Director (Finance and Corporate Resources) was submitted on the progress of the fares review in the Cambuslang and Rutherglen and Hamilton 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 held on 27 June 2013, this Committee agreed to calculate all future increases based on an agreed formula.

On 22 February 2022, this Committee agreed that, subject to any representations received, the fares review for the Cambuslang and Rutherglen and Hamilton zones would take place on the basis that there would be no increase to the current tariffs.

On 14 June 2022, this Committee agreed to further consultation with the taxi trade in the Cambuslang and Rutherglen and Hamilton zones after considering representations received from taxi operators in the Hamilton zone. All taxi operators in those zones were again written to seeking their views on any proposed increases in the fares tariff.

In respect of the Cambuslang and Rutherglen zone, proposals received suggested an increase of £1.00 over the average 2 mile hire and waiting time increased by £3.00 per hour, as detailed in Appendix 1 to the report. Those proposals were also shown on the fares tariff card in Appendix 2 to the report.

In respect of the Hamilton zone, various proposals were suggested, as detailed in Appendix 3 to the report. By way of a petition, the majority of the taxi trade had requested an increase of 40 pence over the average 2 mile hire and an increase of 60 pence on the surcharge between 10.00pm and 5.00am. Various other suggested increases were detailed in Appendix 4 to the report.

The proposed Cambuslang and Rutherglen, Clydesdale, East Kilbride and Hamilton fares review had been advertised in the press and on the Council's website in accordance with the legislation and no responses had been received from members of the public.

The Committee decided:

- (1) that there be an increase of £1.00 over the average 2 mile hire and an increase of £3.00 per hour on the waiting time, as detailed at Appendix 2 to the report, in the Cambuslang and Rutherglen zone; and
- (2) that there be an increase of 40 pence over the average 2 mile hire and various other increases, as detailed at Appendix 4 to the report, in the Hamilton zone.

[Reference: Minutes of 14 June 2022 (Paragraph 1)]

4 Urgent Business

There were no items of urgent business.

5 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.
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6 Civic Government (Scotland) Act 1982 (As Amended) - Application for Grant of Private Hire Car Driver's Licence

A report dated 21 July 2022 by the Executive Director (Finance and Corporate Resources) 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 not present or represented. Representations had been received from Police Scotland.

Following discussion, it was agreed to continue the hearing to a future meeting of this Committee to allow the applicant the opportunity to be present.

The Committee decided:

that the application by O Jamil, 2 Falloch Drive, Glasgow for a private hire car driver's licence in the Cambuslang and Rutherglen zone be continued to a future meeting of this Committee to allow the applicant the opportunity to be present.

7 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Request to Lift Suspension of Private Hire Car Driver's Licence No 277

A report dated 21 July 2022 by the Executive Director (Finance and Corporate Resources) was submitted on a request to lift the suspension of private hire car driver's licence No 277 in terms of the Civic Government (Scotland) Act 1982 (as amended).

Private hire car driver's licence No 277 had been suspended with immediate effect for the remainder of the period of licence by this Committee on 25 May 2021 following a complaint received from Police Scotland dated 20 April 2021.

On 14 June 2022, this Committee agreed to a request from the applicant's solicitor that the hearing in respect of the request to lift suspension of private hire car driver's licence No 277 be continued to a future meeting of this Committee to allow for further information to be collated.

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 represented by E Monaghan, Solicitor.

The Committee decided:

that the request to lift the suspension of private hire car driver's licence No 277 for the Cambuslang and Rutherglen zone be granted with immediate effect.

[Reference: Minutes of 14 June 2022 (Paragraph 8)]