

LICENSING COMMITTEE

Minutes of meeting held via Microsoft Teams on 22 February 2022

Chair:

Councillor David Shearer

Councillors Present:

Councillor John Bradley, Councillor Andy Carmichael, Councillor Poppy Corbett, Councillor Margaret Cowie (*substitute for Councillor Martin Lennon*), Councillor Mary Donnelly, Councillor Grant Ferguson, Councillor Alistair Fulton, Councillor Lynsey Hamilton, Councillor Mark Horsham, Councillor Eileen Logan, Councillor Julia Marrs (Depute), Councillor Catherine McClymont, Councillor Colin McGavigan, Councillor Mark McGeever, Councillor Jim McGuigan, Councillor Davie McLachlan, Councillor Gladys Miller, Councillor Mo Razzaq (*substitute for Councillor Bert Thomson*), Councillor Jim Wardhaugh

Councillors' Apologies:

Councillor Geri Gray, Councillor George Greenshields, Councillor Martin Grant Hose, Councillor Martin Lennon, Councillor Richard Lockhart, Councillor Kenny McCreary, Councillor John Ross (ex officio), Councillor Bert Thomson

Attending:

Finance and Corporate Resources

C Lyon, Administration Officer; G Mays, Legal Services' Adviser; C McKee, Licensing and Registration Co-ordinator; 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 1 February 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 2 February 2022 by the Executive Director (Finance and Corporate Resources) was submitted on the progress of the fares review in the Clydesdale, East Kilbride, Hamilton 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.

All Cambuslang and Rutherglen operators had been written to, although only 2 operators had responded. One operator had indicated that he felt an increase was necessary having regard to increasing costs. He indicated that he would consult further with colleagues and provide detail as to the level of increase requested, however, no further information had been received. The other operator had requested an increase but had not indicated what that increase should be. No other responses had been received. The fares tariff would, therefore, remain as per Appendix 1 to the report.

All Hamilton operators had been written to, although only 5 operators responded. One operator had requested an additional 20 pence be added to the running mile, 1 operator had requested an increase but had not indicated what that increase should be and the other 3 operators had indicated that no fares increase be requested. The fares tariff would, therefore, remain as per Appendix 1 to the report.

All Clydesdale operators had been written to and a response had been received from 1 operator, who held 42 of the current 86 taxi licences, indicating that he would like an increase on various items on the fares tariff, as detailed in Appendix 2 to the report. Those items had not increased since at least 2007, with the exception of the initial charges which made up the cost of the 2 mile hire, which was last increased in April 2020.

The East Kilbride taxi trade organisation had indicated that the trade would like an increase on various items on the fares tariff, as detailed in Appendix 3 to the report. The majority of items had not changed since at least 2008, with the exception of the following 2 changes to tariffs, which had been increased in January 2012:-

- ◆ called but not used
increased from £2.50 to £2.80
- ◆ a surcharge of 60 pence might be charged for each hire begun between the hours of 10.00pm and 5.00am
added a further surcharge of 20 pence might be charged for each hire begun between the hours of 10.00pm and 5.00am each Friday into Saturday and Saturday into Sunday

The last increase in the initial charges which made up the cost of the 2 mile hire was in September 2018.

Following discussion, members advised that they did not agree with all proposals for the Clydesdale zone, as detailed in Appendix 2 to the report, and instead proposed the following:-

- ◆ that the hire of a taxi/private hire car (not exceeding one mile) to be £3.40
- ◆ that the waiting time to be increased to 25 pence for each period of 'one minute' or part thereof - £15 per hour
- ◆ that the soilage charge be increased to £40
- ◆ that no increase be applied to the surcharge for each additional passenger beyond 2, and that it remain at 10 pence

The Committee also requested that, as well as being advertised in local newspapers, the review should also be advertised on social media to allow more people to see and comment on the fares review before a final decision was made.

The Committee decided:

- (1) that the review procedure for the Cambuslang and Rutherglen and Hamilton zones be commenced on the basis that there should be no increase in the current fares tariff and the tariff remain unchanged;

- (2) that the review procedure for the Clydesdale zone be further progressed, as detailed at Appendix 2 to the report, with the following amendments:-
- ♦ that the hire of a taxi/private hire car (not exceeding one mile) to be £3.40
 - ♦ that the waiting time to be increased to 25 pence for each period of 'one minute' or part thereof - £15 per hour
 - ♦ that the soilage charge be increased to £40
 - ♦ that no increase be applied to the surcharge for each additional passenger beyond 2, and that it remain at 10 pence
- (3) that the review procedure for the East Kilbride zone be further progressed with an increase of 40 pence over a 2 mile hire and various other increases, as detailed at Appendix 3; and
- (4) that, in addition to being advertised in local newspapers, the review should also be advertised on social media to allow more people to see and comment on the fares review before a final decision was made

[Reference: Minutes of 15 December 2019 (Paragraph 3)]

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.

6 Civic Government (Scotland) Act 1982 (As Amended) - Application for a Private Hire Car Operator's Licence

A report dated 3 February 2022 by the Executive Director (Finance and Corporate Resources) was submitted on an application for a private hire car operator's licence in terms of the Civic Government (Scotland) Act 1982 (as amended).

Following discussion, Councillor Bradley, seconded by Councillor McGavigan, moved that the application be granted. Councillor Logan, seconded by Councillor McClymont, moved as an amendment that the applicant be invited to attend a future meeting of this Committee for a hearing.

On a vote being taken by roll call, members voted as follows:-

Motion

John Bradley, Poppy Corbett, Mary Donnelly, Grant Ferguson, Alastair Fulton, Lynsey Hamilton, Mark Horsham, Colin McGavigan, Mark McGeever, Julie Marrs, Gladys Miller, Jim Wardhaugh

Amendment

Andy Carmichael, Margaret Cowie, Eileen Logan, Catherine McClymont, Jim McGuigan, Davie McLachlan, Mo Razzaq, David Shearer

8 members voted for the amendment and 12 for the motion which was declared carried.

The Committee decided: that the application by T Allan, 16 Donald Terrace, Hamilton for a private hire car operator's licence in the Hamilton zone be granted.

In terms of Standing Order No 13, the Chair adjourned the meeting at 10.49am and reconvened at 11.00am

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

A report dated 3 February 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 present and heard in support of his application. An objection had been received from Police Scotland and Sergeant Brown was heard.

Following discussion, Councillor Carmichael, seconded by Councillor Donnelly, moved that the application be refused. Councillor McGavigan, seconded by Councillor Wardhaugh, moved as an amendment that the application be granted.

On a vote being taken by roll call, members voted as follows:-

Motion

Andy Carmichael, Poppy Corbett, Margaret Cowie, Mary Donnelly, Grant Ferguson, Alastair Fulton, Lynsey Hamilton, Mark Horsham, Eileen Logan, Catherine McClymont, Jim McGuigan, Davie McLachlan, Julia Marrs, Gladys Miller, Mo Razzaq, David Shearer

Amendment

John Bradley, Colin McGavigan, Mark McGeever, Jim Wardhaugh

4 members voted for the amendment and 16 for the motion which was declared carried.

The Committee decided: that the application by M Daly, Flat 2/1, 74 Castlemilk Drive, Glasgow for the grant of a private hire car driver's licence in the Cambuslang and Rutherglen zone be refused.

In terms of Standing Order No 13, the Chair adjourned the meeting at 12.03pm and reconvened at 12.10pm. Councillors Cowie, McClymont, McLachlan and Miller were not present when the meeting reconvened

8 Civic Government (Scotland) Act 1982 (As Amended) - Application for Grant of Taxi Driver's Licence

A report dated 3 February 2022 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the grant of a taxi 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. An objection had been received from Police Scotland.

The Committee decided:

that the application by M Chowdhury, 7 Donaldson Street, Hamilton for the grant of a taxi driver's licence in the Clydesdale zone be refused.