



Council Offices, Almada Street
Hamilton, ML3 0AA

Monday, 12 September 2022

Dear Councillor

Licensing Committee

The Members listed below are requested to attend a meeting of the above Committee to be held as follows:-

Date: Tuesday, 20 September 2022
Time: 10:00
Venue: Hybrid - Council Chamber, Council Offices, Almada Street, Hamilton, ML3 0AA

The business to be considered at the meeting is listed overleaf.

Yours sincerely

Cleland Sneddon
Chief Executive

Members

Andy Carmichael (Chair), Bert Thomson (Depute Chair), Joe Fagan (ex officio), Poppy Corbett, Geri Gray, Julia Marrs, Monique McAdams, Mark McGeever, David Shearer, Helen Toner

Substitutes

Robert Brown, Janine Calikes, Margaret Cowie, Katy Loudon, Kenny McCreary, Davie McLachlan

BUSINESS

1 Declaration of Interests

2 Minutes of Previous Meeting

3 - 6

Minutes of the meeting of the Licensing Committee held on 30 August 2022 submitted for approval as a correct record. (Copy attached)

Urgent Business

3 Urgent Business

Any other items of business which the Chair decides are urgent.

Exclusion of Press and Public

4 Exclusion of Press and Public

It is recommended that the Committee makes the following resolution:-

"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 is likely that there will be disclosure of exempt information in terms of Paragraph 14 of Part I of Schedule 7A of the Act."

Item(s) for Decision

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

- 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 Grant of Private Hire Car Driver's Licence

- Exempt information in terms of Paragraph 14 of Part I of Schedule 7A of the Act

7 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 475

- Exempt information in terms of Paragraph 14 of Part I of Schedule 7A of the Act

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

- Exempt information in terms of Paragraph 14 of Part I of Schedule 7A of the Act

For further information, please contact:-

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Clerk Email:	carol.lyon@southlanarkshire.gov.uk

LICENSING COMMITTEE

Minutes of meeting held via Microsoft Teams on 30 August 2022

Chair:

Councillor Andy Carmichael

Councillors Present:

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

Councillors' Apologies:

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

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

Order of Business

The Committee decided: that the items of business be dealt with in the order minuted below.

1 Declaration of Interests

No interests were declared.

2 Minutes of Previous Meeting

The minutes of the meeting of the Licensing Committee held on 9 August 2022 were submitted for approval as a correct record.

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

3 Urgent Business

There were no items of urgent business.

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 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.

Councillor Thomson joined the meeting after this item of business

5 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Operator's Licence No 1403 and Private Hire Car Driver's Licence No 473

A report dated 26 July 2022 by the Executive Director (Finance and Corporate Resources) was submitted:-

- ♦ advising on action taken, in terms of Standing Order No 37(c), in view of the timescales involved and a serious threat to public order or safety, by the Executive Director (Finance and Corporate Resources), in consultation with the Chair and an ex officio member, to order the immediate suspension of private hire car operator's licence No 1403 and private hire car driver's licence No 473, with effect from 26 July 2022
- ♦ proposing that consideration be given to whether private hire car operator's licence No 1403 and private hire car driver's licence No 473 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 present and heard in support of retaining his licences. A complaint had been received from Police Scotland and Sergeant Brown was heard.

The Committee decided:

- (1) that the action taken, in terms of Standing Order No 37(c), by the Executive Director (Finance and Corporate Resources), in consultation with the Chair and an ex officio member, to suspend private hire car operator's licence No 1403 and private hire car driver's licence No 473, with effect from 26 July 2022, for a maximum period of 6 weeks, be noted; and
- (2) that private hire car operator's licence No 1403 and private hire car driver's licence No 473 for the Cambuslang and Rutherglen zone be suspended with immediate effect for the remainder of the period of licence.

In terms of Standing Order No 14, the Chair adjourned the meeting at 10.52am and reconvened at 10.57am

6 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 475

A report dated 5 August 2022 by the Executive Director (Finance and Corporate Resources) was submitted proposing that consideration be given to whether private hire car driver's licence No 475 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 unable to join the meeting due to technical difficulties. A complaint had been received from Police Scotland.

The Committee agreed that the hearing should be continued to a future meeting of this Committee to allow the licence holder the opportunity to be present.

The Committee decided:

that consideration of suspension or revocation of private hire car driver's licence No 475 be continued to a future meeting of this Committee to allow the licence holder the opportunity to be present.

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

A report dated 22 July 2022 by the Executive Director (Finance and Corporate Resources) was submitted on an application for the grant of a private hire car operator'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 licence holder who was unable to join the meeting due to technical difficulties. An objection had been received from Police Scotland.

The Committee agreed that the hearing should be continued to a future meeting of this Committee to allow the licence holder the opportunity to be present.

The Committee decided: that the application by A Mehari, Flat 0/1, 197 Killearn Street, Glasgow for the grant of a private hire car operator'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.

In terms of Standing Order No 14, the Chair adjourned the meeting at 11.36am and reconvened at 11.46am

8 Civic Government (Scotland) Act 1982 (As Amended) - Consideration of Suspension or Revocation of Private Hire Car Driver's Licence No 593

A report dated 26 July 2022 by the Executive Director (Finance and Corporate Resources) was submitted:-

- ♦ advising on action taken, in terms of Standing Order No 37(c), in view of the timescales involved and a serious threat to public order or safety, by the Executive Director (Finance and Corporate Resources), in consultation with the Chair and an ex officio member, to order the immediate suspension of private hire car driver's licence No 593, with effect from 26 July 2022
- ♦ proposing that consideration be given to whether private hire car driver's licence No 593 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 present and heard in support of retaining his licence. A complaint had been received from Police Scotland and Sergeant Brown was heard.

Written submissions had also been received from the licence holder's solicitor.

The Committee decided:

- (1) that the action taken, in terms of Standing Order No 37(c), by the Executive Director (Finance and Corporate Resources), in consultation with the Chair and an ex officio member, to suspend private hire car driver's licence No 593, with effect from 26 July 2022, for a maximum period of 6 weeks, be noted; and
- (2) that private hire car driver's licence No 593 for the Cambuslang and Rutherglen zone be suspended with immediate effect for the remainder of the period of licence with a condition that the case be reviewed once the outcome of the licence holder's court case was known.

