

SPECIAL GENERAL PURPOSES (LICENSING) SUB – 22 February 2007

Motherwell, 22 February 2007 at 11 am.

A Special Meeting of the **GENERAL PURPOSES (LICENSING) SUB-COMMITTEE**

PRESENT

Councillor Holloway, Convener; Councillors Barrie, Gormill, Irvine, McAuley, J. Martin and Saunders.

CHAIR

Councillor Holloway (Convener) presided.

IN ATTENDANCE

The Administrative Officer; Head of Legal Services; Chief Solicitor (Licensing), and Principal Solicitor (Licensing).

ALSO IN ATTENDANCE

Superintendent Clelland and Sergeant Harkin, "N" Division, Strathclyde Police.

APOLOGIES

Councillors Cefferty, McKenna and Wallace.

It was agreed in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the public be excluded from the meeting for the following items on the grounds that the business involved the likely disclosure of exempt information as defined in paragraphs 6 and 14 of Part 1 of Schedule 7A of the Act.

PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATIONS

1. The Sub-Committee considered applications received for a Private Hire Car Driver's Licence, and resolved as follows, viz:-

Applicant: Brian Costello, 36 Ashgrove, Whifflet, Coatbridge

Decided: that consideration be continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application.

Applicant: Derek McGaffin, 77 Miller Street, Carlisle

Decided: that consideration be continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application.

Applicant: James Morrison, 20 Hume Drive, Bothwell

Decided: that consideration be continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application.

**TAXI DRIVER'S LICENCE – DISCLOSURE OF INFORMATION - BRIAN REARDON,
16 GREENBANK ROAD, WISHAW**

2. The Head of Legal Services advised of correspondence that had been received from Brian Reardon, 16 Greenbank Road, Wishaw who currently held a Taxi Driver's Licence, disclosing information in adherence with his Licence conditions.

Decided: that the Head of Legal Services issue Brian Reardon with a letter warning him as to his future conduct.

STREET TRADER'S LICENCE - NEW APPLICATION

3. The Sub-Committee considered an application received for a Street Trader's Licence, and resolved as follows, viz:-

Applicant: Peter Gallagher, 95 Allan Street, Coatbridge

Nature of Business: Mobile Power Washing Service

Location: All areas in North Lanarkshire

Decided: that consideration be continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application.

HEARINGS

**(1) PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATION - JOHN McRAVEY,
2324 GARTLOCH ROAD, GARTCOSH**

4. With reference to paragraph 1 of the Minute of the special meeting of this Sub-Committee held on 19 January 2007, the Head of Legal Services advised that consideration of an application by John McRavey, 2324 Gartloch Road, Gartcosh for a Private Hire Car Driver's Licence had been continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application.

The Administrative Officer then indicated that John McRavey was not in attendance.

Thereafter, the Sub-Committee resumed consideration of the matter in the applicant's absence.

Decided: that consideration of the application by John McRavey for a Private Hire Car Driver's Licence be continued to allow the applicant another opportunity to appear before the Sub-Committee to speak in support of his application.

**(2) PRIVATE HIRE CAR DRIVER'S LICENCE AND PRIVATE HIRE CAR LICENCE - NEW
APPLICATIONS**

(a) DAVID CADDEN, 64 ELISON COURT, MOTHERWELL

5. With reference to paragraph 1 of the Minute of the meeting of this Sub-Committee held on 1 February 2007, the Head of Legal Services advised that consideration of applications (tabled) by David Cadden, 64 Elison Court, Motherwell for a Private Hire Car Driver's Licence and Private Hire Car Licence had been continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his applications.
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The Sub-Committee then heard the applicant and Superintendent Clelland speak in respect of the applications.

Thereafter, the applicant and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant and representatives of the Police were then re-admitted to the meeting.

Decided: that the applications by David Cadden for a Private Hire Car Driver's Licence and Private Hire Car Licence be granted.

(b) DARREN CAVIN, 68 KEW GARDENS, UDDINGSTON

6. With reference to paragraph 1 of the Minute of the meeting of this Sub-Committee held on 1 February 2007, the Head of Legal Services advised (1) that consideration of applications (tabled) by Darren Cavin, 68 Kew Gardens, Uddingston for a Private Hire Car Driver's Licence and Private Hire Car Licence had been continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his applications, and (2) that a late objection to the application had been received from the Chief Constable, Strathclyde Police.

The Sub-Committee then heard Superintendent Clelland outline the reason for the Chief Constable's objection being submitted late.

The Sub-Committee then heard Superintendent Clelland outline the Chief Constable's objection (tabled) to the applications and the applicant speak in support of his applications.

Thereafter, the applicant and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant and representatives of the Police were then re-admitted to the meeting.

Decided: that the applications by Darren Cavin for a Private Hire Car Driver's Licence and Private Hire Car Licence be granted.

(3) SECOND HAND DEALER'S LICENCE - NEW APPLICATION - HELEN SUTHERLAND, 12 OLD GARTLOCH ROAD, GARTCOSH

7. The Head of Legal Services advised (1) that an application by Helen Sutherland, 12 Old Gartloch Road, Gartcosh for a Second Hand Dealer's Licence to enable her to trade in second hand van sales at 87 Drumcavel Road, Muirhead had been received, and (2) that an objection to the application had been received from E.A. McFarlane, a relative of the late owner/occupier of 85 Drumcavel Road, Muirhead.

The Administrative Officer then indicated that Helen Sutherland and E.A. McFarlane were not in attendance.

Thereafter, the Sub-Committee resumed consideration of the matter in the applicant's absence.

Decided: that consideration of the application by Helen Sutherland for a Second Hand Dealer's Licence be continued to allow the applicant another opportunity to appear before the Sub-Committee to speak in support of her application.

(4) STREET TRADER'S LICENCE - NEW APPLICATION - ELISE MONIE, 161 GREENGAIRS ROAD, AIRDRIE

8. The Head of Legal Services advised that consideration of an application (tabled) by Elise Monie, 161 Greengairs Road, Airdrie for a Street Trader's Licence to enable her to trade from a static snack van at 71 Airdrie Road, Forrestfield, Airdrie had been received, and (2) that an objection (tabled) to the application had been received from the Director of Planning and Environment.

The Sub-Committee then heard Mr. Craw, Traffic and Transportation Section, Department of Planning and Environment outline the Director of Planning and Environment's objection to the application and the applicant, and her father, Mr Toye speak in support of her application.

Thereafter, the applicant, Mr Craw, Mr Toye and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant, Mr Craw, Mr Toye and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Elise Monie for a Street Trader's Licence be refused.

SUSPENSION HEARINGS - WINDOW CLEANER'S LICENCE - BREACHES OF LICENCE CONDITION

(1) PETER COLLINS, 29A TOLLHOUSE GARDENS, BELLSHILL

9. The Head of Legal Services advised that Peter Collins, 29A Tollhouse Gardens, Bellshill, who currently held a Window Cleaner's Licence, had allegedly breached a condition of his Licence by not submitting to the Council a copy of his public liability insurance.

The Administrative Officer then indicated that Peter Collins was not in attendance.

Thereafter, the Sub-Committee resumed consideration of the matter in Peter Collins' absence.

Decided: that the Window Cleaner's Licence currently held by Peter Collins be suspended for the unexpired duration of the Licence.

(2) TERENCE DUFFY, 4 JADE TERRACE, BELLSHILL

10. The Head of Legal Services advised that Terence Duffy, 4 Jade Terrace, Bellshill, who currently held a Window Cleaner's Licence, had allegedly breached a condition of his Licence by not submitting to the Council a copy of his public liability insurance.

The Administrative Officer then indicated that Terence Duffy was not in attendance.

Thereafter, the Sub-Committee resumed consideration of the matter in Terence Duffy's absence.

Decided: that the Window Cleaner's Licence currently held by Terence Duffy be suspended for the unexpired duration of the Licence.

Motherwell, 5 March 2007 at 9.30 am.

A Special Meeting of the **GENERAL PURPOSES (LICENSING) SUB-COMMITTEE**

PRESENT

Councillor Holloway, Convener; Councillors Barrie, Gormill, Irvine, McKenna, J. Martin and Saunders.

CHAIR

Councillor Holloway (Convener) presided.

IN ATTENDANCE

The Administrative Officer; Head of Legal Services; Principal Solicitor (Licensing), and Licensing Solicitor.

ALSO IN ATTENDANCE

Superintendent Dillon, "N" Division, Strathclyde Police.

APOLOGIES

Provost Connelly and Councillors Cefferty, McAuley and Wallace.

It was agreed in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, that the public be excluded from the meeting for the following items on the grounds that the business involved the likely disclosure of exempt information as defined in paragraphs 6 and 14 of Part 1 of Schedule 7A of the Act.

PRIVATE HIRE CAR DRIVER'S LICENCE AND PRIVATE HIRE CAR LICENCE - NEW APPLICATION

1. The Sub-Committee considered an application for a Private Hire Car Driver's Licence and Private Hire Car Licence, and resolved as follows, viz:-

Applicant: David Cook, 74 Laighmuir Street, Uddingston

Decided: that the application by David Cook for a Private Hire Car Driver's Licence and Private Hire Car Licence be granted.

TAXI DRIVER'S LICENCE - NEW APPLICATIONS

2. The Sub-Committee considered applications received for a Taxi Driver's Licence, and resolved as follows, viz:-

Applicant: James Dickson, 198 North Dryburgh Road, Wishaw

Decided: that consideration be continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application.

SPECIAL GENERAL PURPOSES (LICENSING) SUB – 5 March 2007

Applicant: Matthew Graham, 22 Brogan Crescent, Motherwell

Decided: that consideration be continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application.

Applicant: Andrew Moxen, 1 Allan Grove, Bellshill

Councillor Gormill, seconded by Councillor Barrie, moved that consideration of the application be continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application.

Councillor Martin, seconded by Councillor McKenna, moved as an amendment that the application be granted.

On a vote being taken, 4 Members voted for the amendment and 2 Members voted for the motion. The amendment was accordingly declared carried.

Decided: that the application by Andrew Moxen for a Taxi Driver's Licence be granted.

SUSPENSION HEARINGS

(1) TAXI DRIVER'S LICENCE AND PRIVATE HIRE CAR LICENCE - COMPLAINT - MICHAEL KEELAN, 11 JAMES HAMILTON DRIVE, BELLSHILL

3. The Head of Legal Services advised that, in terms of paragraph 12 of Schedule 1 of the Civic Government (Scotland) Act 1982, a complaint (tabled) had been received from the Chief Constable, Strathclyde Police relative to the behaviour of Michael Keelan, 11 James Hamilton Drive, Bellshill who currently held a Taxi Driver's Licence and a Private Hire Car Licence.

The Sub-Committee then heard Superintendent Dillon outline the Chief Constable's complaint and Michael Keelan's agent, Mr. Grant, Jack Grant and Company, Solicitors speak in respect of the complaint.

Thereafter, Michael Keelan, Mr. Grant and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Michael Keelan, Mr. Grant and representatives of the Police were then re-admitted to the meeting.

Decided: that in terms of paragraph 12 of Schedule 1 of the Civic Government (Scotland) Act 1982, the complaint relative to the behaviour of Michael Keelan be not upheld.

(2) TAXI DRIVER'S LICENCE - COMPLAINT - STEVEN MCGOWAN, 30 BELLVUE CRESCENT, BELLSHILL

4. The Head of Legal Services advised that, in terms of paragraph 12 of Schedule 1 of the Civic Government (Scotland) Act 1982, a complaint (tabled) had been received from the Chief Constable, Strathclyde Police relative to the behaviour of Steven McGowan, 30 Bellvue Crescent, Bellshill who currently held a Taxi Driver's Licence.

The Sub-Committee then heard Superintendent Dillon outline the Chief Constable's complaint and Steven McGowan speak in respect of the complaint.

Thereafter, Steven McGowan and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

SPECIAL GENERAL PURPOSES (LICENSING) SUB – 5 March 2007

Steven McGowan and representatives of the Police were then re-admitted to the meeting.

Decided: that, in terms of paragraph 12 of Schedule 1 of the Civic Government (Scotland) Act 1982, the complaint relative to the behaviour of Steven McGowan be upheld and his Taxi Driver's Licence be suspended with immediate effect.

