

Motherwell, 23 October 2000 at 9.30 am.

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

PRESENT

Councillor Holloway, Convener; Councillors Barrie, Chadha, Connelly and Gormill

CHAIR

Councillor Holloway (Convener) presided.

IN ATTENDANCE

The Administrative Officer; Chief Solicitor (Licensing), and Senior Solicitor (Licensing).

ALSO IN ATTENDANCE

Chief Superintendent Andrews, Sgt. Jamieson and Constable McCann, "N" Division, Strathclyde Police.

APOLOGIES

Councillors Heberton, Irvine, Love and J. Martin.

The Convener exercised his discretion to vary the order of business as hereinafter Minuted.

LICENCE GRANTED UNDER DELEGATED POWERS - PUBLIC ENTERTAINMENT LICENCE

1. With reference to paragraph 6 of the Minute of the meeting of the General Purposes Committee held on 23 August 2000, when it was agreed that authority be delegated to the Head of Legal Services to grant first time applications for premise based activities which have met with no adverse comments or objections, the Chief Solicitor (Licensing) advised that the undernoted Public Entertainment Licence had been granted, viz:-

Applicant:	Andrew Donaldson, per Scottish and Newcastle Retail Limited, Riverside House, Riverside Way, Northampton
Premises:	XS Nightclub, Teviot Walk, Cumbernauld
Entertainment:	Disco, Live Acts, PAs and DJs
Days and Times:	Thursday to Sunday from 2 am to 3 am

STREET TRADER'S LICENCE

(1) NEW APPLICATIONS

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

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Applicant: Sadie Carson and Sinclair Upton, 15 Merryston Court, Coatbridge (employer)
Nature of Business: Static Snack Van
Location: Carpark Area, Faraday Retail Park, Coatbridge
Decided: that consideration be continued to allow the applicants an opportunity to appear before the Sub-Committee to speak in support of their application.

Applicant: James Hunter, 35 Arden Grove, Kilsyth (employer)
Nature of Business: Static Snack Van
Location: McMillan Refrigeration - Microwave Limited, Garrell Road, Burnside Industrial Estate, Kilsyth
Decided: that consideration be continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application

(2) VARIATION

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

Applicant: Collette Wotherspoon, 20 Hillrigg Avenue, Airdrie
Nature of Business: Static Snack Van
New Location: Earn Avenue, Righead Industrial Estate, Bellshill
Decided: that consideration be continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of her application

PRIVATE HIRE CAR LICENCE AND PRIVATE HIRE CAR DRIVER'S LICENCE - RENEWALS

4. The Sub-Committee considered applications for the renewal of a Private Hire Car Licence and a Private Hire Car Driver's Licence, and resolved as follows, viz:-

Applicant: Garry Hugh McCutcheon, 171 Craigieburn Road, North Carbrain, Cumbernauld
Decided: that the application by Garry Hugh McCutcheon for the renewal of his Private Hire Car Licence and Private Hire Car Driver's Licence be granted.

Applicant: Thomas Ferguson, 64 Portland Street, Coatbridge
Decided: that the application by Thomas Ferguson for the renewal of his Private Hire Car Licence and Private Hire Car Driver's Licence be granted.

TAXI DRIVER'S LICENCE

(1) RENEWAL

5. The Sub-Committee considered an application for the renewal of a Taxi Driver's Licence, and resolved as follows, viz:-

Applicant: Martin Houlihan, 4 High Street, Newarthill

Decided: that the application by Martin Houlihan for the renewal of his Taxi Driver's Licence be granted.

(2) NEW APPLICATION

6. The Sub-Committee considered an application for a Taxi Driver's Licence, and resolved as follows, viz:-

Applicant: Thomas Scott, 26 Witchwood Court, 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.

(3) COMPLAINT

7. The Chief Solicitor (Licensing) advised the Sub-Committee of a complaint received by the Chief Constable relative to the behaviour of James Flood, 47 Whifflet Court, Coatbridge in relation to alleged unauthorised ranking.

Decided: that consideration be continued to allow James Flood an opportunity to appear before the Sub-Committee to speak in relation to the complaint.

HEARINGS

(1) TAXI LICENCE - VARIATIONS

(a) JOHN BENNETT, 12D LANGLOAN STREET, COATBRIDGE

8. With reference to paragraph 9 of the Minute of the special meeting of this Sub-Committee held on 7 August 2000, the Chief Solicitor (Licensing) advised that consideration of an application by John Bennett, 12D Langloan Street, Coatbridge for a variation of his Taxi Licence, to allow Patrick Thomas Kearney, 17 Sunnyside Drive, Bargeddie to be added as a joint Licence holder, had been continued to allow John Bennett an opportunity to appear before the Sub-Committee to speak in support of his application.

The Sub-Committee then heard John Bennett speak in respect of his application.

Thereafter, John Bennett withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

John Bennett was then re-admitted to the meeting.

Decided: that the application by John Bennett for a variation of his Taxi Licence be refused.

(b) ANNIE LAMBE, 15 TWEED LANE, HOLYTOWN

9. With reference to paragraph 5 of the Minute of the meeting of this Sub-Committee held on 17 August 2000, the Chief Solicitor (Licensing) advised that consideration of an application by Annie Lambe, 15 Tweed Lane, Holytown for a variation of her Taxi Licence, to allow John Martin, 17 Lomond Drive, Bothwell to be added as a joint Licence holder, had been continued to allow Annie Lambe an opportunity to appear before the Sub-Committee to speak in support of her application.

The Sub-Committee then heard Annie Lambe and John Martin speak in respect of the application.

Thereafter, Annie Lambe and John Martin withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Annie Lambe and John Martin were then re-admitted to the meeting.

Decided: that the application by Annie Lambe for a variation of her Taxi Licence be refused.

(c) ALFRED AND CHRISTINA ADAIR, 16 DIMSDALE CRESCENT, WISHAW

10. With reference to paragraph 9 of the Minute of the special meeting of this Sub-Committee held on 7 August 2000, the Chief Solicitor (Licensing) advised that consideration of an application by Alfred and Christina Adair, 16 Dimsdale Crescent, Wishaw for a variation of their Taxi Licence, to allow Christina Adair's name to be removed from the Licence, and Christina Adair's son, Derek McLeary, c/o 16 Dimsdale Crescent, Wishaw to be added as a joint Licence holder, had been continued to allow Alfred and Christina Adair an opportunity to appear before the Sub-Committee to speak in support of their application.

The Sub-Committee then heard Alfred Adair and Derek McLeary speak in respect of the application.

Thereafter, Alfred Adair and Derek McLeary withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Derek McLeary was then re-admitted to the meeting.

Decided: that the application by Alfred and Christina Adair for a variation of their Taxi Licence be granted.

(2) PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATION - CHRISTOPHER JOHNSTONE, 8 ADAMSWELL TERRACE, MOODIESBURN

11. With reference to paragraph 6 of the Minute of the special meeting of this Sub-Committee held on 7 August 2000, the Chief Solicitor (Licensing) advised that consideration of an application by Christopher Johnstone, 8 Adamswell Terrace, Moodiesburn 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 Sub-Committee then heard the applicant and Chief Superintendent Andrews speak in respect of the application.

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

Christopher Johnstone and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Christopher Johnstone for a Private Hire Car Driver's Licence be granted.

(3) TAXI LICENCE - RENEWAL - THOMAS KELLY, 83 GREENRIGG, UDDINGSTON AND ANDREW KELLY, 28 MILTON STREET, MOTHERWELL

12. With reference to paragraph 8 of the Minute of the special meeting of this Sub-Committee held on 7 August 2000, the Chief Solicitor (Licensing) advised that consideration of an application by Thomas Kelly, 83 Greenrigg, Uddingston for the renewal of the Licence in his name only had been continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application. It was noted that formerly the Licence had been in his name and that of his brother, Andrew Kelly.

The Administrative Officer indicated that Andrew Kelly was not in attendance.

The Sub-Committee then heard the applicant speak in relation to his application.

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

Thomas Kelly and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Thomas Kelly for the renewal of his Taxi Licence in his name only be granted.

HEARING AND SUSPENSION HEARING - IAN ROBERTS, 107 BACKBRAE STREET, KILSYTH - (1) PRIVATE HIRE CAR LICENCE - RENEWAL - AND (2) TAXI DRIVER'S LICENCE - ALLEGED BREACH OF LICENCE CONDITION

13. With reference to paragraphs 1 and 2 of the Minute of the meeting of this Sub-Committee held on 17 August 2000, the Chief Solicitor (Licensing) advised that consideration of (1) an application by Ian Roberts, 107 Backbrae Street, Kilsyth for the renewal of his Private Hire Car Licence, and (2) an alleged breach of his Taxi Driver's Licence, had been continued to allow Ian Roberts an opportunity to appear before the Sub-Committee to speak in support of his application and in relation to the allegation.

The Sub-Committee then heard Ian Roberts and Chief Superintendent Andrews speak in relation to the application and the allegation.

Thereafter, Ian Roberts and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matters.

Ian Roberts and representatives of the Police were then re-admitted to the meeting.

Decided: that on the understanding that the Head of Legal Services will issue Ian Roberts with a letter warning him as to his future conduct, (1) his application for the renewal of his Private Hire Car Licence be granted, and (2) his Taxi Driver's Licence be not suspended.

**TAXI LICENCE - VARIATION - JAMES BURNSIDE, 66 EAST STEWART STREET, COATBRIDGE
AND MICHAEL CAPPIE, C/O 66 EAST STEWART STREET, COATBRIDGE**

14. With reference to paragraph 9 of the Minute of the special meeting of this Sub-Committee held on 7 August 2000, the Chief Solicitor (Licensing) advised that consideration of an application by James Burnside, 66 East Stewart Street, Coatbridge and Michael Cappie c/o 66 East Stewart Street, Coatbridge for a variation of their Taxi Licence, to allow Michael Cappie's name to be removed from the Licence, and Marie McCluskie, 66 East Stewart Street, Coatbridge to be added as a joint Licence holder, had been continued to allow James Burnside and Michael Cappie an opportunity to appear before the Sub-Committee to speak in support of their application.

The Administrative Officer then indicated that James Burnside and Michael Cappie were not in attendance.

Decided: that consideration of the application by James Burnside and Michael Cappie for a variation of their Taxi Licence be further continued to allow the applicants another opportunity to appear before the Sub-Committee to speak in relation to the application.