

Motherwell, 12 April 2001 at 9.30 am.

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

PRESENT

Councillor Holloway, Convener; Councillors Chadha, Devine, Gormill, Homer and Love.

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 McKelvie and Constable McCann, "N" Division, Strathclyde Police.

APOLOGIES

Councillors Barrie, Connelly, Hebenton, Irvine and Martin.

PRIVATE HIRE CAR LICENCE - NEW APPLICATION

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

Applicant: Talal Hamodi, c/o 75 Alder Road, Cumbernauld

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

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

HEARINGS

**(1) PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATION - CRAIG JOHNSON,
12 IONA LANE, MOODIESBURN**

2. With reference to paragraph 2 of the Minute of the meeting of this Sub-Committee held on 15 March 2001, the Head of Legal Services advised that consideration of an application by Craig Johnson, 12 Iona Lane, 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 Superintendent McKelvie 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.

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

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

(2) TAXI DRIVER'S LICENCE - NEW APPLICATION - ROBERT KENNEDY, 11 BELVUE WAY, CARNBROE, COATBRIDGE

3. The Head of Legal Services advised (1) that an application by Robert Kennedy, 11 Belvue Way, Carnbroe, Coatbridge for a Taxi Driver's Licence had been received; (2) that an objection to the application had been received from the Chief Constable, and (3) that Robert Kennedy had spent convictions.

The Sub-Committee, having enquired as to the age and general nature of the spent convictions, were provided, in broad terms, with such information by Superintendent McKelvie who advised why, in the Chief Constable's opinion, full details of Robert Kennedy's spent convictions should be disclosed. The applicant then advised that he had no objections to the spent convictions being disclosed.

The Sub-Committee then heard Superintendent McKelvie give details of the spent convictions and outline the Chief Constable's objections to the application, and Robert Kennedy speak in support of his application.

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 application by Robert Kennedy for a Taxi Driver's Licence be refused.

SUSPENSION HEARING - TAXI LICENCE - COMPLAINT - ALEXANDER STEVENSON, 78 MILLBANK ROAD, WISHAW

4. With reference to paragraph 3 of the Minute of the meeting of this Sub-Committee held on 15 March 2001, the Head of Legal Services advised that consideration of a complaint by the Chief Constable relative to the behaviour of Alexander Stevenson, 78 Millbank Road, Wishaw, who currently held a Taxi Licence, in relation to a breach of a Licence condition, had been continued to allow Alexander Stevenson opportunity to appear before the Sub-Committee to speak in relation to the complaint.

The Sub-Committee then heard Superintendent McKelvie outline the complaint and Alexander Stevenson speak in respect of the complaint.

Thereafter, Alexander Stevenson, Dewar Stevenson, the applicant's son, and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Alexander and Dewar Stevenson and representatives of the Police were then re-admitted to the meeting.

The Sub-Committee then heard Alexander Stevenson in mitigation.

Thereafter, Alexander and Dewar Stevenson and representatives of the Police again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Alexander and Dewar Stevenson and representatives of the police were again re-admitted to the meeting.

Decided: that the Taxi Licence, currently held by Alexander Stevenson, be suspended until the expiry of the Licence with effect from 11 May 2001.

HEARINGS

(1) STREET TRADER'S LICENCE - JOHN CARROL, 7 PLANE PLACE, UDDINGSTON

5. With reference to paragraph 6 of the Minute of the meeting of this Sub-Committee held on 5 March 2001, the Head of Legal Services advised (1) that consideration of an application by John Carrol, 9 Plane Place, Uddingston for a Street Trader's Licence, to enable him to trade from his mobile Ice Cream Van in various locations around Viewpark and Bellshill, had been further continued to allow the applicant another opportunity to appear before the Sub-Committee to speak in support of his application, and (2) that an objection to the application had been received from the Chief Constable.

The Sub-Committee then heard Superintendent McKelvie outline the Chief Constable's objection to the application and John Carrol speak in support of his application

Thereafter, John Carrol 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.

Councillor Chadha, seconded by Councillor Devine, moved that the application by John Carrol for a Street Trader's Licence be refused.

Councillor Love, seconded by Councillor Homer, moved, as an amendment, that the application by John Carrol for a Street Trader's Licence be granted.

On a vote being taken, three Members voted for the amendment and three Members voted for the motion. The voting being equal, the Convener in terms of Standing Order 32, used his casting vote in favour of the amendment, which was accordingly declared carried.

Decided: that the application by John Carrol for a Street Trader's Licence, to enable him to trade from his mobile Ice Cream Van in various locations around Viewpark and Bellshill, be granted.

(2) LATE HOURS CATERING LICENCE - NEW APPLICATION - SAEED DEAN DIN, 188 ALBERT DRIVE GLASGOW

6. The Head of Legal Services advised (1) that an application by Saeed Dean Din, 188 Albert Drive, Glasgow for a Late Hours Catering Licence, in respect of the premises at 58 Stirling Street, Airdrie had been received, and (2) that the applicant had applied to trade outwith policy hours.

The Sub-Committee then heard the applicant speak in support of his application.

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

The applicant was then re-admitted to the meeting.

Decided: that the application by Saeed Dean Din, 188 Albert Drive, Glasgow for a Late Hours Catering Licence in respect of the premises at 58 Stirling Street, Airdrie be granted to the extent that policy hours apply.

(3) TAXI DRIVER'S LICENCE - RENEWAL - STEPHEN STEWART, 175 JACKSON COURT, COATBRIDGE

7. With reference to paragraph 2 of the Minute of the meeting of this Sub-Committee held on 27 March 2001, the Head of Legal Services advised (1) that consideration of an application by Stephen Stewart, 175 Jackson Court, Coatbridge for the renewal of his Taxi 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, and (2) that an objection to the application had been received from the Chief Constable.

The Administrative Officer indicated that Stephen Stewart was no longer in attendance.

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

The Sub-Committee then heard Superintendent McKelvie outline the Chief Constable's objections to the application.

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

Representatives of the Police were then re-admitted to the meeting.

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

(4) WINDOW CLEANER'S LICENCE - NEW APPLICATION - PATRICK BEATTIE, 108 DALDOWIE STREET, COATBRIDGE

8. With reference to paragraph 6 of the Minute of the meeting of this Sub-Committee held on 15 March 2001, the Head of Legal Services advised (1) that consideration of an application by Patrick Beattie, 108 Daldowie Street, Coatbridge for a Window Cleaner's Licence had been further continued to allow the objector the opportunity to submit, to the Sub-Committee and the applicant, copies of additional evidence which he had advised he intended to refer to in his submission, and (2) that objections to the application had been received from Mr. Stephen Thornbury, 138 Corsewell Street, Coatbridge and Lorraine Ross, 22D Montgomery Avenue, Coatbridge.

The Administrative Officer indicated that Lorraine Ross was not in attendance.

The Sub-Committee then heard Stephen Thornbury outline his objections to the application, together with an account of the additional evidence, and Patrick Beattie's agent, Mr Blair, Trainor Alston, Solicitors, and Mrs Ann Barclay, 136a Corsewell Street, Coatbridge speak in support of the application.

Thereafter, the applicant, Mr Blair, Ann Barclay, Stephen Thornbury, Rena Watson, Coatbridge Citizens Advice Bureau, and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant, Mr Blair, Stephen Thornbury, Rena Watson and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Patrick Beattie for a Window Cleaner's Licence be granted.