

**Motherwell, 14 June 2001 at 9.30 am.**

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

**PRESENT**

Councillor Holloway, Convener; Councillors Chadha, Devine, Gormill, Hebenton and Irvine.

**CHAIR**

Councillor Holloway (Convener) presided.

**IN ATTENDANCE**

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

**ALSO IN ATTENDANCE**

Superintendent Buchan and Constable McCann, "N" Division, Strathclyde Police.

**APOLOGIES**

Councillors Barrie, Connelly, Homer, Love and J. Martin.

**LICENCE GRANTED UNDER DELEGATED POWER - SECOND HAND DEALER'S 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 Second Hand Dealer's Licence had been granted, viz:-

**Applicant:** Steven Kennedy, 15 Muirhouse Road, Muirhouse, Motherwell

**Nature of Business:** Car Breaker

**Location:** P D Dismantlers, 17 Meadow Road, Motherwell

**Decided:** that it be noted that a Second Hand Dealer's Licence had been granted, under delegated powers, to Steven Kennedy in respect of the car breaker premises at P D Dismantlers, 17 Meadow Road, Motherwell.

**TAXI DRIVER'S LICENCE - NEW APPLICATION**

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

**Applicant:** John Andrew Stevenson, 149 Motherwell Road, Bellshill

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

**WINDOW CLEANER'S LICENCE - ALLEGED BREACHES OF LICENCE CONDITION**

3. The Chief Solicitor (Licensing) advised the Sub-Committee that various Window Cleaners had allegedly breached one of their Licence conditions.

**Decided:** that consideration be continued to allow the following Window Cleaners the opportunity to appear before the Sub-Committee to speak in relation to the allegation, viz:-

- (1) Omar Gailani, 110 Millcroft Road, Carbrain, Cumbernauld
- (2) Russell Stuart, 32B Glenacre Road, Cumbernauld
- (3) David Finlay, 23 Sunnyside Street, Larkhall

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

**HEARING**

**PRIVATE HIRE CAR LICENCE AND PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATIONS - HENRY CLELLAND, 21 LANGDALE ROAD, MOODIESBURN**

4. With reference to paragraph 5 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Chief Solicitor (Licensing) advised that consideration of applications by Henry Clelland, 21 Langdale Road, Moodiesburn, for a Private Hire Car Licence and 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 Buchan 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:**

- (1) that the application by Henry Clelland for a Private Hire Car Licence be granted, and
- (2) that the application for a Private Hire Car Driver's Licence be granted for a period of one year.

**SUSPENSION HEARING**

**PRIVATE HIRE CAR LICENCE - COMPLAINT - ALEXANDER CORRISON DUNN, 16 OUDENARDE COURT, CARLUKE**

5. With reference to paragraph 12 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Chief Solicitor (Licensing) advised (1) that consideration of a complaint by the Chief Constable relative to the behaviour of Alexander Corrisson Dunn, 16 Oudenarde Court, Carluke who held a Private Hire Car Licence had been further continued to allow the applicant another opportunity to appear before the Sub-Committee to speak in relation to the complaint, and (2) that Strathclyde Police intended to introduce evidence in support of the Chief Constable's objection.

The Sub-Committee then heard Superintendent Buchan outline the Chief Constable's complaint and Alexander Corrison Dunn's agent Mr Scullion, Nicolas J Scullion, Solicitors speak in support of the application.

Thereafter, Alexander Corrison Dunn, Mr Scullion and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The Sub-Committee, on resuming consideration of the matter, decided that full details of the evidence by Strathclyde Police be disclosed.

Alexander Corrison Dunn, Mr Scullion and representatives of the Police were then re-admitted to the meeting.

The Sub-Committee then heard Superintendent Buchan and Constable Malcolm, the arresting officer, give full details of the evidence in support of the Chief Constable's complaint and Mr Scullion speak in respect of the complaint.

Thereafter, Alexander Corrison Dunn, Mr Scullion and representatives of the Police again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Alexander Corrison Dunn, Mr Scullion and representatives of the Police were again re-admitted to the meeting.

The Sub-Committee, on resuming consideration of the matter, decided that the Chief Constable's complaint had been upheld.

The Chief Solicitor (Licensing) then (1) reminded Members that consideration of the Chief Constable's complaint had, for the reasons detailed, been continued since 15 November 2000; (2) advised that the Private Hire Car Licence held by Alexander Corrison Dunn had subsequently expired, and (3) concluded that consideration of the renewal of the Licence was to be considered as the next item of business.

**Decided:**

- (1) that the Chief Constable's complaint relative to the behaviour of Alexander Corrison Dunn be upheld, and
- (2) that no action be taken in this respect.

**HEARINGS**

**(1) PRIVATE HIRE CAR LICENCE - RENEWAL - ALEXANDER CORRISON DUNN,  
16 OUDENARDE COURT, CARLUKE**

6. Arising from consideration of the immediately preceding paragraph the Chief Solicitor (Licensing) advised that during the process of consideration of the Chief Constable's complaint relative to the behaviour of Alexander Corrison Dunn, the Private Hire Car Licence held by Alexander Corrison Dunn had expired on 30 April 2001 and that an application had subsequently been received for its renewal.

**Decided:** that the application by Alexander Corrison Dunn for the renewal of his Private Hire Car Licence be granted for a period of one year.

**(2) TAXI DRIVER'S LICENCE - NEW APPLICATION - COLIN JAMES SPEIRS,  
213 HEATHFIELD, WISHAW**

7. With reference to paragraph 8 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Chief Solicitor (Licensing) advised that consideration of an application by Colin James Speirs, 213 Heathfield, Wishaw for a 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.

The Sub-Committee then heard the applicant and Superintendent Buchan 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 Colin James Speirs for a Taxi Driver's Licence be granted.

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

**(a) GARY MCINTOSH, 4 CROSSHILL DRIVE CLELAND**

8. With reference to paragraph 6 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Chief Solicitor (Licensing) advised that consideration of an application by Gary McIntosh, 4 Crosshill Drive, Cleland 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 Gary McIntosh was not in attendance.

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

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

**(b) GEORGE JAMES BRODERICK, 15 GUNN QUADRANT, BELLSHILL**

9. With reference to paragraph 6 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Chief Solicitor (Licensing) advised that consideration of an application by George James Broderick, 15 Gunn Quadrant, Bellshill 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 Buchan 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 George James Broderick for a Private Hire Car Driver's Licence be refused.

**(c) ALBERT CAMBRIDGE, 58 FRANKFIELD ROAD, CARDOWAN, STEPPS**

10. With reference to paragraph 18 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Chief Solicitor (Licensing) advised (1) that consideration of an application by Albert Cambridge, 58 Frankfield Road, Cardowan, Stepps 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; (2) that the Chief Constable had objected to the application, and (3) that Albert Cambridge had spent convictions.

The Administrative Officer indicated that Albert Cambridge was not in attendance.

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

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 Buchan who advised why, in the Chief Constable's opinion, full details of Albert Cambridge's spent convictions should be disclosed.

The Sub-Committee then decided that full details of Albert Cambridge's spent convictions be disclosed.

The Sub-Committee then heard Superintendent Buchan give details of the spent convictions and outline the Chief Constable's objections.

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 Albert Cambridge for a Private Hire Car Driver's Licence be refused.

**(4) SECOND HAND DEALER'S LICENCE - NEW APPLICATION - STUART ELLIOT,  
4B CAIRNHOPE AVENUE, AIRDRIE**

11. The Chief Solicitor (Licensing) advised (1) that consideration of an application by Stuart Elliot, 4B Cairnhope Avenue, Airdrie for a Second Hand Dealer's Licence had been received, and (2) that an objection to the application had been received from the Director of Planning and Environment.

The Sub-Committee then heard Craig Herriot, Roads and Transportation Division of the Department of Planning and Environment outline the Director's objections to the application and Stuart Elliot speak in support of his application.

Thereafter, the applicant, Craig Herriot 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 Stuart Elliot for a Second Hand Dealer's Licence for his car sales premises at 3-7 Neilson Street, Bellshill be granted subject to 9 parking spaces being provided to the satisfaction of the Director of Planning and Environment.

**(5) LATE HOURS CATERING LICENCE - NEW APPLICATION - SUKHVINDER SINGH,  
68 VICTORIA STREET, BLANTYRE**

12. With reference to paragraph 3 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Chief Solicitor (Licensing) advised that consideration of an application received by Sukhvinder Singh, 68 Victoria Street, Blantyre for a Late Hours Catering Licence in respect of the premises at 16 New Stevenston Road, Carfin had been continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of the application.

The Administrative Officer then indicated that Sukhvinder Singh was not in attendance.

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

**(6) PUBLIC ENTERTAINMENT LICENCE AND AMUSEMENTS WITH PRIZES GAMING MACHINE PERMIT - SECTION 34(5E) - NEW APPLICATIONS - DUNDAS AND WILSON C.S., ON BEHALF OF RAL LIMITED, SILBURY COURT, 368 SILBURY ROAD, BOULEVARD, MILTON KEYNES (a) PAUL FOREMAN, 7 BEACHTREE AVENUE, ENGLEFIELD GREEN, EGHAM, SURREY - IN RESPECT OF 103 MAIN STREET, COATBRIDGE, AND (b) BYRON EVANS, 46 HIGH STREET, WHITLEBURY, NORTHAMPTONSHIRE IN RESPECT OF 1-3 BANK STREET, AIRDRIE**

13. The Chief Solicitor (Licensing) advised (1) that applications had been received for a Public Entertainment Licence and Amusements with Prizes Gaming Machine Section 34(5E) Licences, and (2) that the applications had subsequently been withdrawn.

**Decided:** that it be noted that the application by Dundas and Wilson C.S., per RAL Limited, Silbury Court, 368 Silbury Road, Boulevard, Milton Keynes and (a) Paul Foreman, 7 Bechtree Avenue, Englefield Green, Egham, Surrey in respect of 103 Main Street, Coatbridge, and (b) Byron Evans, 46 High Street, Wittlebury, Northamptonshire in respect of 1-3 Bank Street, Airdrie had been withdrawn.