

Motherwell, 2 July 2001 at 9.30 am.

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

PRESENT

Councillor Holloway, Convener; Councillors Barrie, Chadha, Connelly, Devine, Gormill, Hebenton, Homer, Love and J. Martin.

CHAIR

Councillor Holloway (Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

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

APOLOGY

Councillor Irvine.

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

SUSPENSION HEARINGS - ALLEGED BREACH OF LICENCE CONDITION NUMBER 10 - TAXI DRIVER'S LICENCES - COMPLAINTS

(1) DAVID OWENS, 39 HILLCREST AVENUE, COATBRIDGE

1. With reference to paragraph 10 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Head of Legal Services advised that consideration of a complaint by the Chief Constable relative to the behaviour of David Owens, 39 Hillcrest Avenue, Coatbridge, who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition number 10, had been continued to allow David Owens an opportunity to appear before the Sub-Committee to speak in relation to the complaint.

The Sub-Committee then heard Superintendent Docherty outline the Chief Constable's complaint and David Owens speak in respect of the complaint.

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

David Owens and representatives of the Police were then re-admitted to the meeting.

Decided: that consideration of the hearing and complaint by the Chief Constable relative to the behaviour of David Owens be further continued to allow the Chief Constable an opportunity to lead evidence in relation to the allegation.

(2) ROGER BALLANTYNE, 117 BURNBANK STREET, COATBRIDGE

2. With reference to paragraph 10 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Head of Legal Services advised that consideration of a complaint by the Chief Constable relative to the behaviour of Roger Ballantyne, 117 Burnbank Street, Coatbridge, who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition number 10, had been continued to allow Roger Ballantyne an opportunity to appear before the Sub-Committee to speak in relation to the complaint.

The Sub-Committee then heard Superintendent Docherty outline the Chief Constable's complaint and Roger Ballantyne speak in respect of the complaint.

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

Roger Ballantyne and representatives of the Police were then re-admitted to the meeting.

Decided: that consideration of the hearing and complaint by the Chief Constable relative to the behaviour of Roger Ballantyne be further continued to allow the Chief Constable an opportunity to lead evidence in relation to the allegation.

(3) BRENDA BRODIE, 20 DOUNE TERRACE, COATBRIDGE

3. With reference to paragraph 10 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Head of Legal Services advised that consideration of a complaint by the Chief Constable relative to the behaviour of Brenda Brodie, 20 Doune Terrace, Coatbridge who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition number 10, had been continued to allow Brenda Brodie an opportunity to appear before the Sub-Committee to speak in relation to the complaint.

The Sub-Committee then heard Superintendent Docherty outline the Chief Constable's complaint and Brenda Brodie speak in respect of the complaint.

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

Brenda Brodie and representatives of the Police were then re-admitted to the meeting.

Decided: that consideration of the hearing and complaint by the Chief Constable relative to the behaviour of Brenda Brodie be further continued to allow the Chief Constable an opportunity to lead evidence in relation to the allegation.

(4) GEORGE DOLAN, 32 KILGARTH STREET, COATBRIDGE

4. With reference to paragraph 10 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Head of Legal Services advised that consideration of a complaint by the Chief Constable relative to the behaviour of George Dolan, 32 Kilgarth Street, Coatbridge who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition number 10, had been continued to allow George Dolan an opportunity to appear before the Sub-Committee to speak in relation to the complaint.

The Sub-Committee then heard Superintendent Docherty outline the Chief Constable's complaint and George Dolan speak in respect of the complaint.

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

George Dolan and representatives of the Police were then re-admitted to the meeting.

Decided: that consideration of the hearing and complaint by the Chief Constable relative to the behaviour of George Dolan be further continued to allow the Chief Constable an opportunity to lead evidence in relation to the allegation.

(5) SAMUEL GREIG, 60 MACNEIL STREET, LARKHALL

5. With reference to paragraph 10 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Head of Legal Services advised that consideration of a complaint by the Chief Constable relative to the behaviour of Samuel Greig, 60 MacNeil Street, Larkhall, who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition number 10, had been continued to allow Samuel Greig an opportunity to appear before the Sub-Committee to speak in relation to the complaint.

The Administrative Officer then indicated that Samuel Greig was not in attendance.

Decided: that consideration of the hearing and complaint by the Chief Constable relative to the behaviour of Samuel Greig be further continued to allow Samuel Greig another opportunity to appear before the Sub-Committee to speak in relation to the allegation.

(6) ALAN GRIMASON, 237 WOODHALL AVENUE, COATBRIDGE

6. With reference to paragraph 10 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Head of Legal Services advised that consideration of a complaint by the Chief Constable relative to the behaviour of Alan Grimason, 237 Woodhall Avenue, Coatbridge who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition number 10, had been continued to allow Alan Grimason an opportunity to appear before the Sub-Committee to speak in relation to the complaint.

The Sub-Committee then heard Superintendent Docherty outline the Chief Constable's complaint and Alan Grimason speak in respect of the complaint.

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

Alan Grimason and representatives of the Police were then re-admitted to the meeting.

The Sub-Committee, on resuming consideration of the matter, decided that the complaint by the Chief Constable relative to the behaviour of Alan Grimason had been substantiated.

The Sub-Committee then heard Alan Grimason in mitigation.

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

Alan Grimason and representatives of the Police were again re-admitted to the meeting.

Decided: that the Taxi Driver's Licence, currently held by Alan Grimason, be suspended for a period of 28 days, effective from 30 July 2001.

(7) ANDREW MCGUIRE, 18 EAST STEWART STREET, COATBRIDGE

7. With reference to paragraph 10 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Head of Legal Services advised that consideration of a complaint by the Chief Constable relative to the behaviour of Andrew McGuire, 18 East Stewart Street, Coatbridge, who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition number 10, had been continued to allow Andrew McGuire an opportunity to appear before the Sub-Committee to speak in relation to the complaint.

The Sub-Committee then heard Superintendent Docherty outline the Chief Constable's complaint and Andrew McGuire speak in respect of the complaint.

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

Andrew McGuire and representatives of the Police were then re-admitted to the meeting.

The Sub-Committee, on resuming consideration of the matter, decided that the complaint by the Chief Constable relative to the behaviour of Andrew McGuire had been substantiated.

The Sub-Committee then heard Andrew McGuire in mitigation.

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

Andrew McGuire and representatives of the police were again re-admitted to the meeting.

Councillor Love, seconded by Councillor Devine, moved that the Taxi Driver's Licence currently held by Andrew McGuire be suspended for a period of 14 days.

Councillor Chadha, seconded by Councillor Connelly, moved, as an amendment, that the Taxi Driver's Licence currently held by Andrew McGuire be suspended for a period of 7 days.

On a vote being taken 4 Members voted for the amendment and 6 Members voted for the motion, which was accordingly declared carried.

Decided: that the Taxi Driver's Licence, currently held by Andrew McGuire, be suspended for a period of 14 days, effective from 30 July 2001.

(8) JOSEPH QUINN, 52 ALBION STREET, COATBRIDGE

8. With reference to paragraph 10 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Head of Legal Services advised that consideration of a complaint by the Chief Constable relative to the behaviour of Joseph Quinn, 52 Albion Street, Coatbridge, who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition number 10, had been continued to allow Joseph Quinn an opportunity to appear before the Sub-Committee to speak in relation to the complaint.

The Sub-Committee then heard Superintendent Docherty outline the Chief Constable's complaint and Joseph Quinn speak in respect of the complaint.

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

Joseph Quinn and representatives of the Police were then re-admitted to the meeting.

Decided: that consideration of the hearing and complaint by the Chief Constable relative to the behaviour of Joseph Quinn be further continued to allow the Chief Constable an opportunity to lead evidence in relation to the allegation.

(9) THOMAS SCOTT, 26 WITCHWOOD COURT, COATBRIDGE

9. With reference to paragraph 10 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Head of Legal Services advised that consideration of a complaint by the Chief Constable relative to the behaviour of Thomas Scott, 26 Witchwood Court, Coatbridge, who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition number 10, had been continued to allow Thomas Scott an opportunity to appear before the Sub-Committee to speak in relation to the complaint.

The Sub-Committee then heard Superintendent Docherty outline the Chief Constable's complaint and Thomas Scott speak in respect of the complaint.

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

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

Decided: that consideration of the hearing and complaint by the Chief Constable relative to the behaviour of Thomas Scott be further continued to allow the Chief Constable an opportunity to lead evidence in relation to the allegation.

(10) MARK SHIELDS, 15 WELLINGTON PLACE, COATBRIDGE

10. With reference to paragraph 10 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Head of Legal Services advised that consideration of a complaint by the Chief Constable relative to the behaviour of Mark Shields, 15 Wellington Place, Coatbridge, who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition number 10, had been continued to allow Mark Shields an opportunity to appear before the Sub-Committee to speak in relation to the complaint.

The Sub-Committee then heard Superintendent Docherty outline the Chief Constable's complaint and Mark Shields speak in respect of the complaint.

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

Mark Shields and representatives of the Police were then re-admitted to the meeting.

The Sub-Committee, on resuming consideration of the matter, decided that the complaint by the Chief Constable relative to the behaviour of Mark Shields had been substantiated.

The Sub-Committee then heard Mark Shields in mitigation.

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

Mark Shields and representatives of the police were again re-admitted to the meeting.

Councillor Barrie, seconded by Councillor Chadha, moved that the Taxi Driver's Licence currently held by Mark Shields be suspended for a period of 14 days.

Councillor Love, seconded by Councillor Homer, moved, as an amendment, that the Taxi Driver's Licence currently held by Mark Shields be suspended for a period of 28 days.

On a vote being taken 5 Members voted for the amendment and 5 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 motion, which was accordingly declared carried.

Decided: that the Taxi Driver's Licence, currently held by Mark Shields, be suspended for a period of 14 days, effective from 30 July 2001.

(11) EUGENE McELROY, 5C LANGLOAN PLACE, COATBRIDGE

11. With reference to paragraph 10 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Head of Legal Services advised that consideration of a complaint by the Chief Constable relative to the behaviour of Eugene McElroy, 5C Langloan Place, Coatbridge, who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition number 10, had been continued to allow Eugene McElroy an opportunity to appear before the Sub-Committee to speak in relation to the complaint.

The Sub-Committee then heard Superintendent Docherty outline the Chief Constable's complaint and Eugene McElroy speak in respect of the complaint.

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

Eugene McElroy and representatives of the Police were then re-admitted to the meeting.

Decided: that consideration of the hearing and complaint by the Chief Constable relative to the behaviour of Eugene McElroy be further continued to allow the Chief Constable an opportunity to lead evidence.

(12) JOHN BENNETT, 120 LANGLOAN STREET, COATBRIDGE/12J LANGLOAN STREET, COATBRIDGE

12. With reference to paragraph 10 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Head of Legal Services advised that consideration of a complaint by the Chief Constable relative to the behaviour of John Bennett, 120 Langloan Street, Coatbridge/ 12J Langloan Street, Coatbridge, who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition number 10, had been continued to allow John Bennett an opportunity to appear before the Sub-Committee to speak in relation to the complaint.

The Administrative Officer then indicated that John Bennett was not in attendance

Decided: that consideration of the hearing and complaint by the Chief Constable relative to the behaviour of John Bennett be further continued to allow John Bennett another opportunity to appear before the Sub-Committee to speak in relation to the allegation.

(13) STEVEN McINTOSH, 21 HILLCREST AVENUE, COATBRIDGE

13. With reference to paragraph 10 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Head of Legal Services advised that consideration of a complaint by the Chief Constable relative to the behaviour of Steven McIntosh, 21 Hillcrest Avenue, Coatbridge, who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition number 10, had been

continued to allow Steven McIntosh an opportunity to appear before the Sub-Committee to speak in relation to the complaint.

The Administrative Officer then indicated that Steven McIntosh was not in attendance

Decided: that consideration of the hearing and complaint by the Chief Constable relative to the behaviour of Steven McIntosh be further continued to allow Steven McIntosh another opportunity to appear before the Sub-Committee to speak in relation to the allegation.

(14) ROBERT CAIRNS, 32B CRICHTON STREET, COATBRIDGE

14. With reference to paragraph 10 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Head of Legal Services advised that consideration of a complaint by the Chief Constable relative to the behaviour of Robert Cairns, 32B Crichton Street, Coatbridge, who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition number 10, had been further continued to allow Robert Cairns another opportunity to appear before the Sub-Committee to speak in relation to the complaint.

The Sub-Committee then heard Superintendent Docherty outline the Chief Constable's complaint and Robert Cairns speak in respect of the complaint.

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

Robert Cairns and representatives of the Police were then re-admitted to the meeting.

The Sub-Committee, on resuming consideration of the matter, decided that the complaint by the Chief Constable relative to the behaviour of Robert Cairns had been substantiated.

The Sub-Committee then heard Robert Cairns in mitigation.

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

Robert Cairns and representatives of the Police were then re-admitted to the meeting.

Decided: that the Taxi Driver's Licence currently held by Robert Cairns, be suspended for a period of 14 days, effective from 30 July 2001.

(15) EDWARD MARTIN, 74 COLTSWOOD ROAD, COATBRIDGE

15. With reference to paragraph 10 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Head of Legal Services advised that consideration of a complaint by the Chief Constable relative to the behaviour of Edward Martin, 74 Coltswood Road, Coatbridge, who currently held a Taxi Driver's Licence, in relation to alleged breach of Licence condition number 10, had been continued to allow Edward Martin an opportunity to appear before the Sub-Committee to speak in relation to the complaint.

The Sub-Committee then heard Superintendent Docherty outline the Chief Constable's complaint and Edward Martin speak in respect of the complaint.

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

Edward Martin and representatives of the Police were then re-admitted to the meeting.

The Sub-Committee, on resuming consideration of the matter, decided that the complaint by the Chief Constable had been substantiated.

The Sub-Committee then heard Edward Martin in mitigation.

Decided: that the Taxi Driver's Licence, currently held by Edward Martin, be suspended for a period of 14 days, effective from 30 July 2001.

(16) ALBERT STEWART, 101 TANTALLON DRIVE, COATBRIDGE

16. With reference to paragraph 10 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Head of Legal Services advised that consideration of a complaint by the Chief Constable relative to the behaviour of Albert Stewart, 101 Tantallon Drive, Coatbridge, who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition number 10, had been continued to allow Albert Stewart an opportunity to appear before the Sub-Committee to speak in relation to the complaint.

The Sub-Committee then heard Superintendent Docherty outline the Chief Constable's complaint and Albert Stewart speak in respect of the complaint.

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

Albert Stewart and representatives of the Police were then re-admitted to the meeting.

The Sub-Committee, on resuming consideration of the matter, decided that the complaint by the Chief Constable relative to the behaviour of Albert Stewart had been substantiated.

The Sub-Committee then heard Albert Stewart in mitigation.

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

Albert Stewart and representatives of the police were again re-admitted to the meeting.

Councillor Chadha, seconded by Councillor Barrie, moved that the Taxi Driver's Licence currently held by Albert Stewart be not suspended, on the understanding that the Head of Legal Services issue the Licence holder with a letter warning him as to his future conduct.

Councillor Martin, seconded by Councillor Love, moved, as an amendment, that the Taxi Driver's Licence currently held by Albert Stewart be suspended for a period of 7 days.

On a vote being taken 6 Members voted for the amendment and 3 Members voted for the motion. The amendment was accordingly declared carried.

Decided: that the Taxi Driver's Licence, currently held by Albert Stewart, be suspended for a period of 7 days, effective from 30 July 2001.

(17) VRIONIS NICOLAIOY, 24 McCLURG COURT, MOTHERWELL

17. With reference to paragraph 10 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Head of Legal Services advised that consideration of a complaint by the Chief Constable relative to the behaviour of Vrionis Nicolaoy, 24 McClurg Court, Motherwell, who currently held a Taxi Driver's Licence, in relation to alleged breach of Licence condition number 10, had been continued to

allow Vrionis Nicolaoy an opportunity to appear before the Sub-Committee to speak in relation to the complaint.

The Administrative Officer then indicated that Vrionis Nicolaoy was not in attendance.

Decided: that consideration of the hearing and complaint by the Chief Constable relative to the behaviour of Vrionis Nicolaoy be further continued to allow Vrionis Nicolaoy another opportunity to appear before the Sub-Committee to speak in relation to the allegation.

(18) JAMES SMITH, 8 STONEFIELD GARDENS, CARLUKE

18. With reference to paragraph 10 of the Minute of the meeting of this Sub-Committee held on 17 May 2001, the Head of Legal Services advised that consideration of a complaint by the Chief Constable relative to the behaviour of James Smith, 8 Stonefield Gardens, Carlisle, who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition number 10, had been continued to allow James Smith an opportunity to appear before the Sub-Committee to speak in relation to the complaint.

Decided: that consideration of the hearing and complaint by the Chief Constable relative to the behaviour of James Smith be further continued to allow James Smith another opportunity to appear before the Sub-Committee to speak in relation to the allegation.