

Motherwell, 27 July 2001 at 9.30 am.

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

PRESENT

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

CHAIR

Councillor Holloway (Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

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

APOLOGIES

Councillors Cefferty, Connelly and Hebenton.

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

SUSPENSION HEARINGS - TAXI DRIVER'S LICENCE - BREACH OF LICENCE CONDITION NO. 10

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

1. The Head of Legal Services advised that a complaint had been received from the Chief Constable relative to the behaviour of John Bennett, 12D Langloan Street, Coatbridge who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition no.10.

The Sub-Committee then heard Superintendent Buchan outline the Chief Constable's complaint and John Bennett speak in respect of the complaint.

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

John Bennett 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 John Bennett had been substantiated.

The Sub-Committee then heard John Bennett in mitigation.

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

John Bennett and representatives of the Police were again re-admitted to the meeting.

Decided: that the Taxi Driver's Licence, currently held by John Bennett, be suspended for a period of 7 days effective from 24 August 2001.

(2) RONALD BLACKBURN, 30 MILLER STREET, WISHAW

2. The Head of Legal Services advised that a complaint had been received from the Chief Constable relative to the behaviour of Ronald Blackburn, 30 Miller Street, Wishaw who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition no.10.

The Sub-Committee then heard Superintendent Buchan outline the Chief Constable's complaint and Ronald Blackburn speak in respect of the complaint.

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

Ronald Blackburn 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 Ronald Blackburn had been substantiated.

The Sub-Committee then heard Ronald Blackburn in mitigation.

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

Ronald Blackburn and representatives of the Police were again re-admitted to the meeting.

Decided: that the Taxi Driver's Licence, currently held by Ronald Blackburn, be suspended for a period of 7 days, effective from 24 August 2001.

(3) MICHAEL CAIRNS, 6 COCKBURN PLACE, COATBRIDGE

3. The Head of Legal Services advised that a complaint had been received from the Chief Constable relative to the behaviour of Michael Cairns, 6 Cockburn Place, Coatbridge who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition no. 10.

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

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

Michael 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 Michael Cairns had been substantiated.

The Sub-Committee then heard Michael Cairns in mitigation.

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

Michael Cairns and representatives of the Police were again re-admitted to the meeting.

Decided: that the Taxi Driver's Licence, currently held by Michael Cairns, be suspended for a period of 14 days, effective from 24 August 2001.

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

4. The Head of Legal Services advised that a complaint had been received from 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 no. 10.

The Sub-Committee then heard Superintendent Buchan 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 again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

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

Decided: that the Taxi Driver's Licence, currently held by Robert Cairns, be suspended for a period of 21 days, effective from 24 August 2001.

(5) HUGH COWELL, 15 DOUGLAS PLACE, COATBRIDGE

5. The Head of Legal Services advised that a complaint had been received from the Chief Constable relative to the behaviour of Hugh Cowell, 15 Douglas Place, Coatbridge who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition no. 10.

The Sub-Committee then heard Superintendent Buchan outline the Chief Constable's complaint and Hugh Cowell speak in respect of the complaint.

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

Hugh Cowell 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 Hugh Cowell had been substantiated.

The Sub-Committee then heard Hugh Cowell in mitigation.

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

Hugh Cowell and representatives of the Police were again re-admitted to the meeting.

Decided: that the Taxi Driver's Licence, currently held by Hugh Cowell, be suspended for a period of 7 days effective from 24 August 2001.

(6) JOHN DOBBIN, 2 CLYDE VALLEY COTTAGE, LARKHALL

6. The Head of Legal Services advised that a complaint had been received from the Chief Constable relative to the behaviour of John Dobbin, 2 Clyde Valley Cottage, Larkhall who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition no. 10.

The Administrative Officer indicated that although John Dobbin was not in attendance, Mr Hutchieson, of the Taxi Operators' Association, was in attendance to speak on John Dobbin's behalf.

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

(7) GEORGE DOLLAN, 32 KILGARTH STREET, COATBRIDGE

7. The Head of Legal Services advised that a complaint had been received from the Chief Constable relative to the behaviour of George Dollan, 32 Kilgarth Street, Coatbridge who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition no. 10.

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

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

George Dollan 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 George Dollan had not been substantiated.

Decided: that the complaint made had not been substantiated.

(8) KEVIN FARRELL, MANSE AVENUE, COATBRIDGE

8. The Head of Legal Services advised that a complaint had been received from the Chief Constable relative to the behaviour of Kevin Farrell, Manse Avenue, Coatbridge who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition no. 10.

The Sub-Committee then heard Superintendent Buchan outline the Chief Constable's complaint and Kevin Farrell speak in respect of the complaint.

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

Kevin Farrell 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 Kevin Farrell had not been substantiated.

Decided: that the complaint made had not been substantiated.

(9) STEVEN FERGUSON, 68 MERRYSTON COURT, COATBRIDGE

9. The Head of Legal Services advised that a complaint had been received from the Chief Constable relative to the behaviour of Steven Ferguson, 68 Merryston Court, Coatbridge who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition no. 10.

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

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

Steven Ferguson 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 Steven Ferguson had been substantiated.

The Sub-Committee then heard Steven Ferguson in mitigation.

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

Steven Ferguson and representatives of the Police were again re-admitted to the meeting.

Decided: that the Taxi Driver's Licence, currently held by Steven Ferguson, be suspended for a period of 7 days effective from 24 August 2001.

**HEARING - PUBLIC ENTERTAINMENT LICENCE - NEW APPLICATION - TREVOR SMITH,
19 COLVEND STREET, BRIDGETON, GLASGOW**

10. The Head of Legal Services advised (1) that an application by Trevor Smith, 19 Colvend Street, Bridgeton, Glasgow for a Public Entertainment Licence a for Family Funfare from 15 to 19 August 2001 to be held at Muirhouse Park, Shields Drive, Motherwell had been received, and (2) that an objection to the application had been received from Councillor McLaughlin, the local Member.

The Administrative Officer indicated that Councillor McLaughlin was not in attendance.

The Sub-Committee then heard the Head of Legal Services summarise Councillor McLaughlin's objections and Trevor Smith 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 re-admitted to the meeting.

Decided: that the application by Trevor Smith for a Family Funfare to be held in Muirhouse Park, Shields Drive, Motherwell from 15 to 19 August, 2001 be granted.

Councillor Gormill being the mover of an amendment which failed to attract a seconder, requested that his dissent be recorded.

SUSPENSION HEARINGS - TAXI DRIVER'S LICENCE - BREACH OF LICENCE CONDITION NO. 10

(1) JOHN GEBBIE, 78 INNERLEITHEN DRIVE, WISHAW

11. The Head of Legal Services advised that a complaint had been received from the Chief Constable relative to the behaviour of John Gebbie, 78 Innerleithen Drive, Wishaw who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition no. 10.

The Administrative Officer indicated that John Gebbie was not in attendance.

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

(2) SAMUEL GREIG, 60 MACNEIL STREET, LARKHALL

12. The Head of Legal Services advised that a complaint had been received from 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 no. 10.

The Sub-Committee then heard Superintendent Buchan outline the Chief Constable's complaint and Samuel Greig speak in respect of the complaint.

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

Samuel Greig 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 Samuel Greig had been substantiated.

The Sub-Committee then heard Samuel Greig in mitigation.

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

Samuel Greig and representatives of the Police were again re-admitted to the meeting.

Decided: that the Taxi Driver's Licence, currently held by Samuel Greig, be suspended for a period of 7 days, effective from 24 August 2001.

(3) ALAN GRIMASON, 237 WOODHALL AVENUE, COATBRIDGE

13. The Head of Legal Services advised that a complaint had been received from 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 no. 10.

The Administrative Officer indicated that Alan Grimason was not in attendance.

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

(4) WILLIAM HALL, 95 BIRKSHAW BRAE, WISHAW

14. The Head of Legal Services advised that a complaint had been received from the Chief Constable relative to the behaviour of William Hall, 95 Birkshaw Brae, Wishaw who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition no. 10.

The Sub-Committee then heard Superintendent Buchan outline the Chief Constable's complaint and William Hall speak in respect of the complaint.

Superintendent Buchan then advised that he wished to withdraw the Chief Constable's complaint.

Decided: that it be noted that the complaint by the Chief Constable relative to the behaviour of William Hall had been withdrawn.

(5) ARTHUR HAND, 9 ACADEMY COURT, COATBRIDGE

15. The Head of Legal Services advised that a complaint had been received from the Chief Constable relative to the behaviour of Arthur Hand, 9 Academy Court, Coatbridge who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition no. 10.

The Sub-Committee then heard Superintendent Buchan outline the Chief Constable's complaint and Arthur Hand speak in respect of the complaint.

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

Arthur Hand 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 Arthur Hand had been substantiated.

The Sub-Committee then heard Arthur Hand in mitigation.

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

Arthur Hand and representatives of the Police were again re-admitted to the meeting.

Decided: that the Taxi Driver's Licence, currently held by Arthur Hand, be suspended for a period of 7 days, effective from 24 August 2001.

(6) WENDY HANLON, 18 COLT AVENUE, COATBRIDGE

16. The Head of Legal Services advised that a complaint had been received from the Chief Constable relative to the behaviour of Wendy Hanlon, 18 Colt Avenue, Coatbridge who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition no. 10.

The Administrative Officer indicated that Wendy Hanlon was not in attendance.

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

(7) MICHAEL KEELAN, 11 JAMES HAMILTON DRIVE, BELLSHILL

17. The Head of Legal Services advised that a complaint had been received from the Chief Constable relative to the behaviour of Michael Keelan, 11 James Hamilton Drive, Bellshill who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition no. 10.

The Sub-Committee then heard Superintendent Buchan outline the Chief Constable's complaint and Michael Keelan speak in respect of the complaint.

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

(8) STEVEN MCINTOSH, 21 HILLCREST AVENUE, COATBRIDGE

18. The Head of Legal Services advised that a complaint had been received from 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 no. 10.

The Administrative Officer 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 continued to allow him a further opportunity to appear before the Sub-Committee to speak in relation to the allegation.

(9) MALCOLM MCLAUGHLIN, 104 LEVEN ROAD, COATBRIDGE

19. The Head of Legal Services advised that a complaint had been received from the Chief Constable relative to the behaviour of Malcolm McLaughlin, 104 Leven Road, Coatbridge who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition no. 10.

The Administrative Officer indicated that Malcolm McLaughlin was not in attendance.

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

(10) VRIONIS NICOLAOU, 24 MCCLURG COURT, MOTHERWELL

20. The Head of Legal Services advised that a complaint had been received from the Chief Constable relative to the behaviour of Vrionis Nicolaou, 24 McClurg Court, Motherwell who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition no. 10.

The Administrative Officer indicated that Vrionis Nicolaou was not in attendance.

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

(11) STEPHEN NOLAN, 14 HATTON TERRACE, CARFIN

21. The Head of Legal Services advised that a complaint had been received from the Chief Constable relative to the behaviour of Stephen Nolan, 14 Hatton Terrace, Carfin who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition no. 10.

The Sub-Committee then heard Superintendent Buchan outline the Chief Constable's complaint and Stephen Nolan speak in respect of the complaint.

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

Stephen Nolan 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 Stephen Nolan had been substantiated.

The Sub-Committee then heard Stephen Nolan in mitigation.

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

Stephen Nolan and representatives of the Police were again re-admitted to the meeting.

Decided: that the Taxi Driver's Licence, currently held by Stephen Nolan, be suspended for a period of 7 days, effective from 24 August 2001.

(12) THOMAS SCOTT, 26 WITCHWOOD COURT, COATBRIDGE

22. The Head of Legal Services advised that a complaint had been received from 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 no. 10.

The Administrative Officer indicated that Thomas Scott was not in attendance.

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

(13) EDWARD SMELLIE, 41 CALDERGROVE, MOTHERWELL

23. The Head of Legal Services advised that a complaint had been received from the Chief Constable relative to the behaviour of Edward Smellie, 41 Caldergrove, Motherwell who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition no. 10.

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

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

Edward Smellie 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 Edward Smellie had been substantiated.

The Sub-Committee then heard Edward Smellie in mitigation.

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

Edward Smellie and representatives of the Police were again re-admitted to the meeting.

Decided: that the Taxi Driver's Licence, currently held by Edward Smellie, be suspended for a period of 7 days, effective from 24 August 2001.

(14) JAMES SMITH, 8 STONEFIELD GARDENS, CARLUKE

24. The Head of Legal Services advised that a complaint had been received from the Chief Constable relative to the behaviour of James Smith, 8 Stonefield Gardens, Carluke who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition no. 10.

The Administrative Officer indicated that James Smith was not in attendance.

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

(15) LINO TALLO, 9 LIBERTY ROAD, BELLSHILL

25. The Head of Legal Services advised that a complaint had been received from the Chief Constable relative to the behaviour of Lino Tallo, 9 Liberty Road, Bellshill who currently held a Taxi Driver's Licence, in relation to an alleged breach of Licence condition no. 10.

The Administrative Officer indicated that Lino Tallo was not in attendance.

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