

Motherwell, 16 August 2001 at 9.30 am.

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

PRESENT

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

CHAIR

Councillor Holloway (Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

Superintendent McKenzie, Sergeant Urban and Constable McCann, "N" Division, Strathclyde Police.

APOLOGIES

Councillors Barrie, Connelly, Gormill and Hebenton.

SECOND HAND DEALER'S LICENCE

(1) LICENCE GRANTED UNDER DELEGATED POWER

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 Head of Legal Services advised that the undernoted Second Hand Dealer's Licence had been granted, viz:-

Applicant: James Hamilton, 96 Townhead Road, Coatbridge

Nature of Business: Car Parts

Location: 8 Souterhouse Road, Dundyvan Industrial Estate, Coatbridge

Decided: that it be noted that a Second Hand Dealer's Licence had been granted, under delegated power, to James Hamilton in respect of the car parts business at 8 Souterhouse Road, Dundyvan Industrial Estate, Coatbridge.

(2) RENEWAL

2. The Sub-Committee considered an application received for the renewal of a Second Hand Dealer's Licence, and resolved as follows, viz:-

- Applicant:** Gold Craft, per Paul Royse, 8 Larchfield Crescent, Wishaw and Elaine Adaire, 202 Bonkle Road, Newmains
- Nature of Business:** Jewellery
- Premises:** Gold Craft, 116A Manse Road, Newmains
- Decided:** that consideration be continued to allow the applicants an opportunity to appear before the Sub-Committee to speak in support of their application.

STREET TRADER'S LICENCE

(1) NEW APPLICATION

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

- Applicant:** Bernard Murphy, 12 Currieside Place, Shotts
- Nature of Business:** Mobile Ice Cream Van
- Location:** Allanton, Dykehead, Eastfield, Springhill, Stane, Torbothie and Shotts Prison
- 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) RENEWAL

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

- Applicant:** Robert Murchie, 2 Sandhead Crescent, Chapelhall, Airdrie
- Nature of Business:** Bin Washing
- Location:** Airdrie, Coatbridge, Glenmavis, Motherwell, Newarthill, Newmains and Wishaw
- Decided:** that consideration be continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application.

LATE HOURS CATERING LICENCE - NEW APPLICATION

5. The Sub-Committee considered an application received for a Late Hours Catering Licence, and resolved as follows, viz:-

- Applicant:** Khalid Muhammad Anwar, 4 Galston Court, Hamilton
- Premises:** 101 Cambusnethan Street, Wishaw
- 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 - NEW APPLICATION

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

Applicant: Gary Brown, 33 Liberty 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.

PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATIONS

7. The Sub-Committee considered applications received for a Private Hire Car Driver's Licence, and resolved as follows, viz:-

Applicant: Bryan Blackhall, 119A Graham Street, Airdrie

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

Applicant: John James Daisley, 275 Woodhall Avenue, Kirkshaws, 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.

Applicant: Robert William Derek McSeveney, 9 Bute Crescent, Shotts

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

PRIVATE HIRE CAR DRIVER'S LICENCE - RENEWALS

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

Applicant: David Paul Houston, 1 Glenview Crescent, Moodiesburn

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

Applicant: Bruce Nicoll, 183 Hornbeam Road, Abronhill, 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.

TAXI DRIVER'S LICENCE

(1) NEW APPLICATION

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

Applicant: Michael Preston, 34 Sannox Drive, Motherwell

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) RENEWALS

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

Applicant: William Carter, 14 Coursington Gardens, Motherwell

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

Applicant: John Chalmers, 3 Cypress Avenue, Viewpark, Uddingston

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

Applicant: Gary Hargadon, 52 Lodge Tower, Motherwell

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

Applicant: Brian Reardon, 16 Greenbank Road, Wishaw

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

11. The Chief Solicitor (Licensing) advised the Sub-Committee of a complaint received by the Chief Constable relative to the behaviour of Anthony Kelly, 35 Greenside Street, Coatbridge.

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

TAXI LICENCE - VARIATION - NEW APPLICATION

12. The Sub-Committee considered an application received from Alexander Dewar Stevenson, 78 Milnbank Road, Wishaw for the variation of his Taxi Licence to add Dewar Stevenson, 125 Gavin Street, Motherwell as a joint Licence holder.

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

HEARINGS

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

PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATIONS

(1) GARRY McINTOSH, 4 CROSSHILL DRIVE, CLELAND

13. With reference to paragraph 8 of the Minute of the meeting of this Sub-Committee held on 14 June 2001, the Chief Solicitor (Licensing) advised that consideration of an application by Garry 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 Sub-Committee then heard the applicant and Superintendent McKenzie 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 Garry McIntosh for a Private Hire Car Driver's Licence be granted.

(2) MICHAEL ROAN, 10 GOPHER AVENUE, VIEWPARK, UDDINGSTON

14. The Chief Solicitor (Licensing) advised (1) that an application by Michael Roan, 10 Gopher Avenue, Viewpark, Uddingston for a Private Hire Car Driver's Licence had been received, and (2) that a late objection to the application had been received from the Chief Constable. Michael Roan advised the Sub-Committee that he had no objection to the Chief Constable's complaint being considered.

The Sub-Committee then heard Superintendent McKenzie outline the Chief Constable's complaint and Michael Roan speak in support of his application.

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

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

The Sub-Committee then heard the applicant speak further in relation to his application and Mr. Dempsey speak in support of the applicant.

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

The applicant, Mr. Dempsey and representatives of the Police were again re-admitted to the meeting.

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

PRIVATE HIRE CAR LICENCE - COMPLAINT - RUTH STRAIN, 2 KATRINE CRESCENT, AIRDRIE

15. The Chief Solicitor (Licensing) advised the Sub-Committee of a complaint received by the Chief Constable relative to the behaviour of Ruth Strain, 2 Katrine Crescent, Airdrie who currently held the Private Hire Car Licence.

The Sub-Committee then heard Superintendent McKenzie outline the Chief Constable's complaint and Ruth Strain speak in relation to the complaint.

Ruth Strain and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Ruth Strain and representatives of the Police were 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 Ruth Strain had been substantiated.

The Sub-Committee then heard Ruth Strain in mitigation.

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

Ruth Strain and representatives of the Police were again re-admitted to the meeting.

Decided: that the Private Hire Car Licence currently held by Ruth Strain be suspended for the unexpired duration of the Licence effective from 13 September 2001.

**PRIVATE HIRE CAR DRIVER'S LICENCE - COMPLAINT - JACQUELINE McCRONE,
18 KENILBURN CRESCENT, AIRDRIE**

16. The Chief Solicitor (Licensing) advised the Sub-Committee of a complaint received by the Chief Constable relative to the behaviour of Jacqueline McCrone, 18 Kenilburn Crescent, Airdrie who currently held a Private Hire Car Driver's Licence.

The Sub-Committee then heard Superintendent McKenzie outline the complaint and Jacqueline McCrone speak in respect of the complaint.

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

Jacqueline McCrone 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 Jacqueline McCrone had been substantiated.

The Sub-Committee then heard Jacqueline McCrone in mitigation.

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

Jacqueline McCrone and representatives of the Police were again re-admitted to the meeting.

Decided: that the Taxi Driver's Licence, currently held by Jacqueline McCrone, be not suspended, on the understanding that the Head of Legal Services issue Jacqueline McCrone with a letter warning her as to her future conduct.

PRIVATE HIRE CAR LICENCE AND PRIVATE HIRE CAR DRIVER'S LICENCE - COMPLAINT - BRIAN KENNY, 186 ROWAN ROAD, CUMBERNAULD

17. With reference to paragraph 3 of the Minute of the meeting of this Sub-Committee held on 27 November 2000, the Chief Solicitor (Licensing) advised (1) that consideration of a complaint by the Chief Constable relative to the behaviour of Brian Kenny, 186 Rowan Road, Cumbernauld, who currently held a Private Hire Car Licence and Taxi Driver's Licence had been continued, and (2) that Brian Kenny's agent, Jim Sloan, Dunipace Brown, Solicitors had requested that the Sub-Committee further continue consideration of the complaint.

Decided: that consideration of the complaint by the Chief Constable relative to the behaviour of Brian Kenny be further continued.

TAXI DRIVER'S LICENCE - COMPLAINT - CARL LOWE, 3 MONKLAND VIEW, CALDERBANK, AIRDRIE

18. The Chief Solicitor (Licensing) advised the Sub-Committee of a complaint received by the Chief Constable relative to the behaviour of Carl Lowe, 3 Monkland View, Calderbank, Airdrie who currently held a Taxi Driver's Licence.

The Sub-Committee then heard Superintendent McKenzie outline the complaint and Carl Lowe's agent, Kim Campbell speak in respect of the complaint.

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

Carl Lowe, Kim Campbell 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 Carl Lowe had been substantiated.

The Sub-Committee then heard Kim Campbell in mitigation.

Thereafter, Carl Lowe, Kim Campbell and representatives of the Police again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Carl Lowe, Kim Campbell and representatives of the Police were again re-admitted to the meeting.

Decided: that the Taxi Driver's Licence currently held by Carl Lowe be suspended for a period of 12 months effective from 13 September 2001.

STREET TRADER'S LICENCE - NEW APPLICATION - ROBERT JAMES McALISTER, 11 NETHERTON STREET, HARTHILL

19. With reference to paragraph 4 of the Minute of the Special Meeting of this Sub-Committee held on 28 June 2001, the Chief Solicitor (Licensing) advised that consideration of an application by Robert James McAlister, 11 Netherton Street, Harthill for a Street Trader'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 Robert James McAlister was not in attendance.

Decided: that the application by Robert James McAlister for a Street Trader's Licence be further continued to allow Robert James McAlister another opportunity to appear before the Sub-Committee to speak in support of the application.

WINDOW CLEANER'S LICENCE - BREACH OF LICENCE CONDITION

(1) ALISTAIR HUME, 7 KIERHILL ROAD, CUMBERNAULD

20. The Chief Solicitor (Licensing) advised the Sub-Committee that Alistair Hume, 7 Kierhill Road, Cumbernauld, who currently held a Window Cleaner's Licence, had allegedly breached a condition of his Licence.

The Administration Officer then indicated that Alistair Hume was not in attendance.

Thereafter the Sub-Committee resumed consideration of the matter in Alistair Hume's absence.

Decided: that the Window Cleaner's Licence currently held by Alistair Hume be suspended for the unexpired duration of the Licence effective from 13 September 2001.

(2) OMAR GAILANI, 110 MILLCROFT ROAD, CARBRAIN, CUMBERNAULD

21. With reference to paragraph 3 of the Minute of the meeting of this Sub-Committee held on 14 June 2001, the Chief Solicitor (Licensing) advised that consideration of an alleged breach of a Licence condition by Omar Gailani, 110 Millcroft Road, Carbrain, Cumbernauld, who currently held a Window Cleaner's Licence, had been continued to allow Omar Gailani an opportunity to appear before the Sub-Committee to speak in respect of the allegation.

The Administrative Officer indicated that Omar Gailani was not in attendance.

Thereafter the Sub-Committee resumed consideration of the matter in Omar Gailani's absence.

Decided: that the Window Cleaner's Licence currently held by Omar Gailani be suspended for the unexpired duration of the Licence effective from 13 September 2001.

(3) RUSSELL STUART, 32B GLENACRE ROAD, CUMBERNAULD

22. With reference to paragraph 3 of the Minute of the meeting of this Sub-Committee held on 14 June 2001, the Chief Solicitor (Licensing) advised that consideration of an alleged breach of a Licence condition by Russell Stuart, 32B Glenacre Road, Cumbernauld, who currently held a Window Cleaner's Licence, had been continued to allow Russell Stuart an opportunity to appear before the Sub-Committee to speak in respect of the allegation.

The Administrative Officer indicated that Russell Stuart was not in attendance.

Thereafter the Sub-Committee resumed consideration of the matter in Russell Stuart's absence.

Decided: that the Window Cleaner's Licence currently held by Russell Stuart be suspended for the unexpired duration of the Licence effective from 13 September 2001.

PRIVATE HIRE CAR LICENCE AND PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATION - MARTIN McALEER, 14 PETERSBURN PLACE, AIRDRIE

23. With reference to paragraph 7 of the Minute of the Special Meeting of this Sub-Committee held on 30 August 2000, the Chief Solicitor (Licensing) advised that consideration of an application by Martin McAleer, 14 Petersburn Place, Airdrie for a Private Hire Car Licence and 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 Martin McAleer was not in attendance.

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

TAXI DRIVER'S LICENCE

(1) NEW APPLICATION - DAVID ALEXANDER SCOTT, 18 HAWICK STREET, COLTNESS, WISHAW

24. The Chief Solicitor (Licensing) advised (1) that an application had been received by David Alexander Scott, 18 Hawick Street, Coltness, Wishaw for a Taxi Driver's Licence, and (2) that an objection to the application had been received by the Chief Constable.

The Administrative Officer then indicated that David Alexander Scott was not in attendance.

Decided: that consideration of the application by David Alexander Scott for a Taxi Driver's Licence be continued to allow David Alexander Scott another opportunity to appear before the Sub-Committee to speak in support of his application.

(2) RENEWAL - ALAN WATSON, 62 OAK ROAD, ABRONHILL, CUMBERNAULD

25. With reference to paragraph 11 of the Minute of the Special Meeting of this Sub-Committee held on 28 June 2001, the Chief Solicitor (Licensing) advised that consideration of an application by Alan Watson, 62 Oak Road, Abronhill, Cumbernauld 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.

The Administrative Officer then indicated that Alan Watson was not in attendance.

Decided: that consideration of the application by Alan Watson for the renewal of his Taxi Driver's Licence be further continued to allow Alan Watson another opportunity to appear before the Sub-Committee to speak in support of his application.

TAXI LICENCE - VARIATION - DANIEL NICOL, 19 ROSEBANK DRIVE, UDDINGSTON

26. With reference to paragraph 13 of the Minute of the Special Meeting of this Sub-Committee held on 28 June 2001, the Chief Solicitor (Licensing) advised that consideration of an application by Daniel Nicol, 19 Rosebank Drive, Uddingston, for a variation of his Taxi Licence, to allow James McMillan, 46 Quarry Street, New Stevenston, to be added as a joint Licence holder, had been continued to allow Daniel Nicol an opportunity to appear before the Sub-Committee to speak in support of his application.

The Chief Solicitor (Licensing) advised the Sub-Committee that Daniel Nicol was now deceased and that his wife, a joint Licence holder, had subsequently written to the Council expressing her wish to proceed with the request to vary the Taxi Licence.

Decided: that consideration be further continued pending a report by the Head of Legal Services.