

Motherwell, 13 December 2001 at 9.30 am.

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

PRESENT

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

CHAIR

Councillor Holloway (Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

Chief Superintendent Buchan, Sergeant Urban and A. Cook, "N" Division, Strathclyde Police.

APOLOGIES

Councillors Irvine and J. Martin.

Councillor Hebenton declared a non pecuniary interest in the following item of business and took no part in its consideration.

LICENCE GRANTED UNDER DELEGATED POWER - PUBLIC ENTERTAINMENT 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 Head of Legal Services advised that the undernoted Public Entertainment Licence had been granted, viz:-

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|------------------------|--|
| Applicant: | M & D Leisure Limited per Fred Davis |
| Premises: | Scotland's Theme Park, Strathclyde Park, Hamilton Road, Motherwell |
| Entertainment: | Circus |
| Days and Times: | 17 November to 24 December 2001 16 November to 24 December 2002 15 November to 24 December 2003 Mondays to Fridays - 11 am to 6.30 pm Saturdays and Sundays - 4 pm to 6 pm |
| Decided: | that it be noted that a Public Entertainment Licence had been granted, under delegated powers, to M & D Leisure Limited per Fred Davis in respect of the circus at Scotland's Theme Park, Strathclyde Park, Hamilton Road, Motherwell. |

WINDOW CLEANER'S LICENCE - ALLEGED BREACH OF LICENCE CONDITION

2. The Head of Legal Services advised the Sub-Committee that two window cleaners had allegedly breached one of their Licence conditions.

Decided: that consideration be continued to allow the following window cleaners an opportunity to appear before the Sub-Committee to speak in relation to the allegation, viz:-

- (1) Archibald Thomson, 88 Burnside Tower, Motherwell
- (2) William Thomson, 268 North Dryburgh Road, Wishaw.

TAXI LICENCE - VARIATIONS - APPLICATIONS

3. The Sub-Committee considered applications received for the variation of Taxi Licences, and resolved as follows, viz:-

Applicant: Joseph Phee, 11 Victoria Quadrant, Holytown and Mary Phee, 32 Castle Avenue, Holytown.

Request: that John Steel, 8 Jerviston Street, New Stevenston, be included as the day to day Manager of the Taxi Licence.

Decided: that the application by Joseph Phee and Mary Phee for the variation of their Taxi Licence to include John Steel as the day to day Manager be granted.

Applicant: Anne Lambe, 15 Tweed Lane, Holytown.

Request: that John Martin, 17 Lomond Drive, Bothwell be included as the day to day Manager of the Taxi Licence.

Decided: that the application by Anne Lambe for the variation of her Taxi Licence to include John Martin as the day to day Manager be granted.

Applicant: Sarah Shannon and Anne McConville, 72 Church Street, Newarthill.

Request: that Anne McConville's name be removed from the Licence and John Joseph Shannon, 72 Church Street, Newarthill be added.

Decided: that the application by Sarah Shannon and Anne McConville to remove Anne McConville's name from the Licence and add John Joseph Shannon, 72 Church Street, Newarthill to the Licence be granted.

TAXI DRIVER'S LICENCE - NEW APPLICATION

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

Applicant: John Gallen, 113 Campbell Street, Wishaw.

Decided: that the application by John Gallen for a Taxi Driver's Licence be granted.

TAXI LICENCE - BREACH OF LICENCE CONDITION

5. The Head of Legal Services advised the Sub-Committee that Rebecca Edmond, 48 Cedar Road, Cumbernauld had allegedly breached one of her Licence conditions.

Decided: that consideration be continued to allow Rebecca Edmond an opportunity to appear before the Sub-Committee to speak in relation to the allegation.

PRIVATE HIRE CAR DRIVER'S LICENCE - RENEWALS

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

Applicant: Andrew David Lynn, 159 North Calder Road, 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: Carl Robert Luth, 105 Shottskirk Road, Dykehead, Shotts.

Decided: that the application by Carl Robert Luth for the renewal of his Private Hire Car Driver's Licence be granted.

Applicant: Gerald Wright, 21 Meadowhead Avenue, 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.

PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATIONS

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

Applicant: Ernest Robert Gower, 200 Fife 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.

Applicant: Andrew Watson, 24 Knowenoble Street, Cleland.

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

STREET TRADER'S LICENCE - RENEWAL

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

Applicant: Edward Hanlon, c/o 13 MacDonald Crescent, Twechar, Kilsyth.
Nature of Business: Mobile Snack Van
Location: Rawyards, Airdrie and Cumbernauld
Decided: that the application by Edward Hanlon for the renewal of his Street Trader's Licence be granted.

HEARINGS

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

(a) ANN IRVINE, 57 JOHN STREET, LARKHALL

9. With reference to paragraph 1 of the Minute of the Special Meeting of this Sub-Committee held on 3 December 2001, the Head of Legal Services advised that consideration of an application by Ann Irvine, 57 John Street, Larkhall 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 her application.

The Head of Legal Services then indicated that although Ann Irvine was not in attendance and that she had submitted a letter in support of her application.

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

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

(b) JOHN BRIAN LYNCH, 12 MICHAEL TERRACE, CHAPELHALL, AIRDRIE

10. With reference to paragraph 1 of the Minute of the Special Meeting of this Sub-Committee held on 3 December 2001, the Head of Legal Services advised that consideration of an application by John Brian Lynch, 12 Michael Terrace, Chapelhall, Airdrie 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 John Brian Lynch was not in attendance.

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

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

(c) PETER BRUCE MITCHELL, 39 THRASHBUSH ROAD, CAMBUSNETHAN, WISHAW

11. With reference to paragraph 3 of the Minute of the meeting of this Sub-Committee held on 15 November 2001, the Head of Legal Services advised that consideration of an application by Peter Bruce Mitchell, 39 Thrashbush Road, Cambusnethan, Wishaw 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 Peter Bruce Mitchell for a Private Hire Car Driver's Licence be granted for a period of one year.

(2) STREET TRADER'S LICENCE - NEW APPLICATION - THE FORTH FLYER PER DONNA MARIE STEVENSON AND ALAN WILLIAM STEWART, 44 NORTHFIELD AVENUE, SPRINGHILL, SHOTTS

12. The Head of Legal Services advised (1) that consideration of an application by The Forth Flyer per Donna Marie Stevenson and Alan William Stewart, 44 Northfield Avenue, Springhill, Shotts for a Street Trader's Licence to enable them to trade from their mobile ice cream van in Dykehead, Springhill and Torbothie had been continued to allow the applicants an opportunity to appear before the Sub-Committee to speak in support of their application; (2) that the Chief Constable had objected to the application, and (3) that Alan William Stewart 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 Chief Superintendent Buchan who advised why, in the Chief Constable's opinion, full details of Alan William Stewart's spent convictions should be disclosed. Alan William Stewart then advised that he had no objections to the spent convictions being disclosed.

The Sub-Committee then heard Superintendent Buchan give details of the spent convictions and outline the Chief Constable's objections and Donna Marie Stevenson and Alan William Stewart speak in support of their application.

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

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

Decided: that the application from The Forth Flyer per Donna Marie Stevenson and Alan William Stewart for a Street Trader's Licence be refused.