

Motherwell, 24 January 2002 at 9.30 am.

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

PRESENT

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

CHAIR

In the absence of Councillor Holloway (Convener), Councillor Connelly was appointed to and took the Chair.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

Superintendent Buchan, Sergeant Urban and Constables McCann and Wilson, "N" Division, Strathclyde Police.

LICENCE GRANTED UNDER DELEGATED POWER - PUBLIC ENTERTAINMENT LICENCE - NEW APPLICATION

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:-

Applicant:	Finlaw 279 Limited and Davis Alexander McKenna, 179 Great Portland Street, London
Premises:	Universe, Unit 2, Locks Street, Coatbridge
Entertainment:	DJs, disco dancing and live bands
Days and Times:	Saturdays and Sundays from 2 am to 2.45 am
Decided:	that it be noted that a Public Entertainment Licence had been granted, under delegated power, to Finlaw 279 Limited and Davis Alexander McKenna in respect of the premises at Universe, Unit 2, Locks Street, Coatbridge.

STREET TRADER'S LICENCE - NEW APPLICATION

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

- Applicant:** Georgina MacPhee, 571 Merry Street, Motherwell
- Nature of Business:** Static snack van
- Location:** Melford Avenue, Righead Industrial Estate, Bellshill
- Decided:** that consideration be continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of her application.

STREET TRADERS - COMPLAINT

3. With reference to paragraph 9 of the Minute of the meeting of the General Purposes Committee held on 24 October 2001, when that Committee considered a petition received from residents of the Blairhill area of Coatbridge complaining about Street Traders who were trading from the area close to St. Ambrose School, and when it had been agreed to remit consideration it to the Director of Administration for guidance as to what further procedure which might be required to progress this matter before the Sub-Committee.

In this regard the Head of Legal Services referred to the petition and advised that subsequently the local elected Member had expressed support for the residents' complaint and proposed that the matter be continued for a site visit.

- Decided:** that consideration of the complaint in respect of Street Traders trading near to St. Ambrose School be continued for a site visit and hearing.

Councillor Chadha entered the meeting and took the Chair.

PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATIONS

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

Applicant: William McShannon, 78 Merrick Terrace, Tannochside, 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: Mark Thomas Sneddon, 88 Carlisle Road, 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.

PRIVATE HIRE CAR LICENCE AND PRIVATE HIRE CAR DRIVER'S LICENCE - COMPLAINT

5. The Head of Legal Services advised the Sub-Committee of a complaint received by the Chief Constable relative to the behaviour of Alan Ferguson, 7 Atholl Lane, Moodiesburn, who currently held a Private Hire Car Licence and a Private Hire Car Driver's Licence.

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

PRIVATE HIRE CAR LICENCE AND TAXI DRIVER'S LICENCE - COMPLAINT

6. The Head of Legal Services (1) advised that a complaint had been received from Mrs. Silvestro relative to the behaviour of James Briton Muir, 2 Buchan Road, New Stevenston who currently held a Private Hire Car Licence and a Taxi Driver's Licence, and (2) provided details thereon.

Decided: that the complaint by Mrs. Silvestro relative to the behaviour of James Briton Muir be not upheld.

WINDOW CLEANER'S LICENCE - ALLEGED BREACH OF LICENCE CONDITION

7. The Head of Legal Services advised the Sub-Committee that various Window Cleaners had allegedly breached 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) Kevin Henry Berry, 77 Craighend Drive, Coatbridge;
- (2) John Dolan, 2 West Drive, Airdrie, and
- (3) Stephen Duffy, 19 Stirling Street, Coatbridge.

Councillor Holloway entered the meeting and took the Chair.

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

HEARINGS

(1) STREET TRADER'S LICENCE - NEW APPLICATION - JOHN McDADE, 60 WEST AVENUE, VIEWPARK, UDDINGSTON

8. The Head of Legal Services advised (1) that consideration of an application by John McDade, 60 West Avenue, Viewpark, Uddingston for a Street Trader's Licence, to enable him to trade from his static snack van at Belgrave Street, Bellshill Industrial Estate had been received, and (2) that an objection to the application had been received from the Director of Planning and Environment and Mr. Laidlaw, a local trader.

The Administrative Officer then indicated that although John McDade was not in attendance his agent Mr. McLean, John Owens & Company, Solicitors was in attendance to speak in support of the application.

The Sub-Committee then heard (1) Mr. A. Little, Senior Roads Engineer/Officer outline the Director of Planning and Environment's objections to the application; (2) Mr. Laidlaw outline his objections to the application; (3) Constable Wilson (Traffic Management) Strathclyde Police, speak in respect of the application, and (4) Mr. McLean speak in support of the application.

Thereafter, Mr. Little, Mr. Laidlaw and Mr. McLean withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Mr. Little, Mr. Laidlaw and Mr. McLean were then re-admitted to the meeting.

Decided: that consideration of the application by John McDade for a Street Trader's Licence be continued for a site visit and further hearing.

(2) PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATION - ANN IRVINE, 57 JOHN STREET, LARKHALL

9. With reference to paragraph 9 of the Minute of the meeting of this Sub-Committee held on 13 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 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 Ann Irvine for a Private Hire Car Driver's Licence be granted for a period of one year.

(3) STREET TRADER'S LICENCE - NEW APPLICATION - STEFANO PACITTI, 25 ST. ANDREW'S DRIVE, COATBRIDGE

10. The Head of Legal Services advised (1) that an application by Stefano Pacitti, 25 St. Andrew's Drive, Coatbridge for a Street Trader's Licence to allow him to trade from his mobile ice cream van in the Bargeddie and Drumpellier Lawns housing estates and in the vicinity of St. Ambrose School, Coatbridge had been received, and (2) that Stefano Pacitti was not in attendance.

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

Decided: that the application by Stefano Pacitti for a Street Trader's Licence be refused.

(4) PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATION - BRIAN JOHN LYNCH, 12 MICHAEL TERRACE, CHAPELHALL

11. With reference to paragraph 10 of the Minute of the meeting of this Sub-Committee held on 13 December 2001, the Head of Legal Services advised that consideration of an application by Brian John Lynch, 12 Michael Terrace, Chapelhall 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 Brian John Lynch for a Private Hire Car Driver's Licence be granted for a period of one year.

(5) TAXI DRIVER'S LICENCE - COMPLAINT - JOHN LOCHRAN, 33 COATHILL STREET, COATBRIDGE

12. With reference to paragraph 3 of the Minute of the meeting of this Sub-Committee held on 3 December 2001, the Head of Legal Services advised that an anonymous complaint had been received by the Chief Constable relative to the behaviour of John Lochran, 33 Coathill Street, Coatbridge.

The Sub-Committee then heard Superintendent Buchan outline the complaint and John Lochran speak in respect of the complaint.

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

John Lochran and representatives of the Police were then re-admitted to the meeting.

Decided: that the complaint relative to the behaviour of John Lochran be not upheld.

(6) TAXI LICENCE - RENEWAL AND VARIATION - IRENE NICOL, c/o 46 QUARRY STREET, NEW STEVENSTON

13. The Head of Legal Services advised (1) that an application by Irene Nicol, c/o 46 Quarry Street, New Stevenston had been received for (a) the renewal of her Taxi Licence, and (b) a variation of her Licence to include James McMillan, 46 Quarry Street, New Stevenston as the day to day manager of the Licence, and (2) that Irene Nicol had indicated that she was unable to be present although James McMillan was in attendance to speak in support of the applications.

The Sub-Committee then heard James McMillan speak in respect of the applications.

Decided: that the application by Irene Nicol for the renewal of her Taxi Licence and the variation of the Licence to include James McMillan as day to day manager of the Licence be granted.

(7) TAXI LICENCE - VARIATION - ALAN McCONVILLE, 77 CAWDER ROAD, CARRICKSTONE, CUMBERNAULD

14. With reference to paragraph 9 of the Minute of the meeting of this Sub-Committee held on 26 November 2001, the Head of Legal Services advised that consideration of an application by Alan McConville, 77 Cawder Road, Carrickstone, Cumbernauld for a variation of his Taxi Licence to remove Norman Shields from the Licence and add Gavin Masterton, 65 Binniehill Road, Cumbernauld as a joint Licence holder, had been continued to allow Alan McConville an opportunity to appear before the Sub-Committee to speak in support of his application.

The Sub-Committee then heard Alan McConville and Gavin Masterton speak in respect of the application.

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

Alan McConville, Gavin Masterton and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Alan McConville for a variation of his Taxi Licence to include Gavin Masterton as a joint Licence holder be refused.