

Motherwell, 29 April 2002 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 J. Martin.

CHAIR

Councillor Holloway (Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

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

APOLOGY

Councillor Love.

LICENCE GRANTED UNDER DELEGATED POWER - SECOND HAND DEALER'S 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 Second Hand Dealer's Licence had been granted, viz:-

Applicant:	Gerard Hughes, 42 Friars Way, Monklands Estate, Airdrie
Nature of Business:	Second Hand Car Sales
Location:	116 Main Street, Chapelhall
Decided:	that it be noted that a Second Hand Dealer's Licence had been granted, under delegated Powers, to Gerard Hughes in respect of the Second Hand Car Sales at 116 Main Street, Chapelhall.

It was agreed in terms of Section 50A (4) of the Local Government (Scotland) Act 1973 that the public be excluded from the meeting for the following items of business on the grounds that the business involved the likely disclosure of exempt information as defined in paragraph 3 Part 1 of Schedule 7A of the Act.

PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATIONS

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

Applicant: John Callaghan, 109 Clayhouse Road, Stepps

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: Steven Crook, 147 Bridgeburn Drive, 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: Robert Foye, 111 Achray Road, Condorrat, 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

Applicant: Terry McCallum, 94 Espieside Crescent, 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: John Slavin, 11 Park 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.

TAXI DRIVER'S LICENCE - NEW APPLICATION

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

Applicant: Stanley Alan Dale, 3B Lomond Drive, 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.

TAXI LICENCE - COMPLAINTS

(1) GERARD ANTHONY LLOYD, 25 UNITAS CRESCENT, CARLUKE

4. The Chief Solicitor (Licensing) advised the Sub-Committee of a complaint received from the Chief Constable relative to the behaviour of Gerard Anthony Lloyd, 25 Unitas Crescent, Carluke who currently held a Taxi Licence.

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

(2) ARTHUR McGUIRE, 7 ETIVE COURT, COATBRIDGE

5. The Chief Solicitor (Licensing) advised the Sub-Committee (1) that a complaint had been received from the Chief Constable relative to the behaviour of Arthur McGuire, 7 Etive Court, Coatbridge, and (2) that the Chief Constable had subsequently withdrawn the complaint.

Decided: that it be noted that the Chief Constable had withdrawn his complaint.

HEARINGS

(1) TAXI DRIVER'S LICENCE - RENEWAL - ROBERT GARDNER CONNAL, 107 MAVISBANK STREET, WHINHALL, AIRDRIE

6. The Chief Solicitor (Licensing) advised (1) that an application by Robert Gardner Connal, 107 Mavisbank Street, Whinhall, Airdrie for the renewal of his Taxi Driver's Licence had been received; (2) that a late objection to the application had been received from the Chief Constable, and (3) that Robert Gardner Connal had spent convictions.

Superintendent Buchan then explained the reason for the objection by the Chief Constable being submitted late and the applicant advise that he objected to the late objection by the Chief Constable being considered.

The Sub-Committee, having enquired as to the general nature of the objection, was provided, in broad terms, by Superintendent Buchan who advised why the Chief Constable's objection should be considered, and why, in the Chief Constable's opinion full details of Robert Gardner Connal's spent convictions should be disclosed.

The Sub-Committee then heard the applicant advise that the late objection by the Chief Constable could now be considered and that he had no objection to details of his spent convictions being disclosed.

The Sub-Committee then heard Superintendent Buchan give details of the spent convictions and outline the Chief Constable's objection and Robert Gardner Connal, Mrs. Connal, Mr. McCallum and Mr. Sneddon speak in support of the application.

The applicant, representatives of the Police, Mrs. Connal, Mr. McCallum and Mr. Sneddon withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant, representatives of the Police, Mrs. Connal, Mr. McCallum and Mr. Sneddon were re-admitted to the meeting.

Decided: that the application by Robert Gardner Connal for the renewal of his Taxi Driver's Licence be refused.

(2) LATE HOURS CATERING LICENCE - CHEUN HO LI, 15 CASTLE VIEW, NEWMAINS

7. The Chief Solicitor (Licensing) advised (1) that an application by Cheun Ho Li, 15 Castle View, Newmains for a Late Hours Catering Licence in respect of the premises at The Ocean, 148 Logans Road, Motherwell had been received, and (2) that an objection to the application had been received from the local Member.

The Administrative Officer then indicated that Cheun Ho Li was not in attendance.

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

The Sub-Committee then heard Councillor W. Martin, local Member, outline his objection to the application.

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

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

Councillor Chadha, seconded by Councillor Gormill, moved that the application by Cheun Ho Li for a Late Hours Catering Licence be granted.

Councillor Cefferty, seconded by Councillor Connelly, moved, as an amendment, that the application by Cheun Ho Li for a Late Hours Catering Licence be refused.

On a vote being taken, 4 Members voted for the amendment and 5 Members voted for the motion. The motion was accordingly declared carried.

Decided: that the application by Cheun Ho Li for a Late Hours Catering Licence in respect of the premises at The Ocean, 148 Logans Road, Motherwell be granted.

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

(3) PUBLIC ENTERTAINMENT LICENCE - NEW APPLICATIONS

(a) JENSEN CONNELLY, M & D LEISURE LIMITED, 77 HAMILTON ROAD, BELLSHILL

8. The Chief Solicitor (Licensing) advised (1) that an application by Jensen Connelly, M & D Leisure Limited, 77 Hamilton Road, Bellshill for a Public Entertainment Licence to hold a street fair (fun fair) in Main Street, Bellshill on the undernoted dates and times had been received, viz:-

Saturday, 25 May 2002 - 11 am to 10 pm

Sunday, 26 May 2002 - 12 noon to 10 pm

Monday, 27 May 2002 - 11 am to 10 pm

also on 24, 25 and 26 May 2003 and 29, 30 and 31 May 2004 - at the same times,

and (2) that an objection to the application had been received from Lanarkshire Primary Care NHS Trust, Bellshill Health Centre.

The Administrative Officer then indicated that a representative from Bellshill Health Centre was not in attendance.

The Sub-Committee resumed consideration of the matter in the objector's absence.

The Sub-Committee then heard Jensen Connelly and Douglas Taylor on behalf of M & D Leisure Limited and Mr. Foy and Mr. Leggat on behalf of Bellshill Community Council speak in support of the application.

Thereafter, representatives of the Police, Jensen Connelly, Douglas Taylor, Mr. Foy and Mr. Leggat withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Representatives of the Police, Jensen Connelly, Douglas Taylor, Mr. Foy and Mr. Leggat were then re-admitted to the meeting.

Decided: that the application by Jensen Connelly for a Public Entertainment Licence on the undernoted dates and times be granted, viz:-

Saturday, 25 May 2002 - 11 am to 10 pm
Sunday, 26 May 2002 - 12 noon to 10 pm
Monday, 27 May 2002 - 11 am to 10 pm
also on 24, 25 and 26 May 2003 and 29, 30 and 31 May 2004 - at the same times.

(b) TREVOR SMITH, 19 COLVEND STREET, BRIDGETON, GLASGOW

9. The Chief Solicitors (Licensing) advised (1) that an application by Trevor Smith, 19 Colvend Street, Bridgeton, Glasgow for a Public Entertainment Licence to hold a fun fair in Watsonville Playing Fields, Motherwell on the undernoted dates and times had been received, viz:-

Thursday, 9 and Friday, 10 May 2002 - 6 pm to 9.30 pm
Saturday, 11 and Sunday, 12 May 2002 - 1.30 pm to 9.30 pm
Thursday, 8 and Friday, 9 May 2003 - 6 pm to 9.30 pm
Saturday, 10 and Sunday, 11 May 2003 - 1.30 pm to 9.30 pm
Thursday, 6 and Friday, 7 May 2004 - 6 pm to 9.30 pm
Saturday, 8 and Sunday, 9 May 2004 - 1.30 pm to 9.30 pm,

and (2) that an objection to the application had been received from Mr. Gordon Gray, 33 Oakfield Tower, Motherwell.

The Sub-Committee then heard Gordon Gray outline his objections to the application and Trevor Smith speak in support of his application.

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

The applicant, Gordon and Stewart Gray and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Trevor Smith for a Public Entertainment Licence on the undernoted dates and times be granted, viz:-

Thursday, 9 and Friday, 10 May 2002 - 6 pm to 9.30 pm
Saturday, 11 and Sunday, 12 May 2002 - 1.30 pm to 9.30 pm
Thursday, 8 and Friday, 9 May 2003 - 6 pm to 9.30 pm
Saturday, 10 and Sunday, 11 May 2003 - 1.30 pm to 9.30 pm
Thursday, 6 and Friday, 7 May 2004 - 6 pm to 9.30 pm
Saturday, 8 and Sunday, 9 May 2004 - 1.30 pm to 9.30 pm.

(c) MICHAEL STIRLING, 63 STRATHCLYDE STREET, BRIDGETON, GLASGOW

10. The Chief Solicitor (Licensing) advised (1) that an application by Michael Stirling, 63 Strathclyde Street, Bridgeton, Glasgow for a Public Entertainment Licence to hold a fun fair in the Time Capsule Car Park, Coatbridge on the undernoted dates and times had been received, viz:-

8-19 May 2002; 7-20 May 2003 and 6-21 May 2004
Mondays to Fridays - 6 pm to 9.45 pm
Saturdays - 2 pm - 9.45 pm
Sundays - 2.30 - 9 pm

and (2) that an objection to the application had been received from the Director of Planning and Environment.

The Administrative Officer then indicated that Michael Stirling and the Director of Planning and Environment's representative were not in attendance.

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

Decided: that the application by Michael Stirling for a Public Entertainment Licence to hold a fun fair in the Time Capsule Car Park, Coatbridge on the undernoted dates and times be granted subject to Licence conditions being applied by the Head of Legal Services, viz:-

8-19 May 2002; 7-20 May 2003 and 6-21 May 2004

Mondays to Fridays - 6 pm to 9.45 pm

Saturdays - 2 pm - 9.45 pm

Sundays - 2.30 - 9 pm.