

**Motherwell, 24 June 2002 at 9.30 am.**

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

**PRESENT**

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

**CHAIR**

Councillor Holloway (Convener) presided.

**IN ATTENDANCE**

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

**ALSO IN ATTENDANCE**

Superintendent Law, Sergeant. McCann and Constables Lannigan and Wilson, "N" Division, Strathclyde Police.

**APOLOGY**

Councillor Heberton

**PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATIONS**

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

**Applicant:** Raymond Shaw Duncan, 22 Paxstone Drive, Harthill

**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:** Peter Robert Hardman, 96 Craigieburn Road, North Carbrain, 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:** Mark James McKinlay, 63 Nelson Avenue, 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:** Joseph Murphy, 4a Sumburgh Street, Cranhill, Glasgow

**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**

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

**Applicant:** Gerard Valente, 23 Kilbrennan 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.

**TAXI LICENCE - VARIATION**

3. The Sub-Committee considered an application received from Edward Kearney, 22 Braedale Avenue, Motherwell for the variation of his Taxi Licence to remove the names of Mr E Kearney, Mrs M Kearney and Mr E Kearney Junior from the Licence and that Craig Smillie, 6 Greenknowe Street, Overtown be added to the Licence.

**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 - VARIATION**

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

**Applicant:** John Carroll, 7 Plane Place, Viewpark, Uddingston

**Nature of Business:** Mobile Ice Cream Van

**Request:** that Cecil Street, Dundyvan Road, Greenside Street, Kirk Street and the areas of Barrowfield, Gartsherrie, Summerlee, Townhead and Victoria Park be added to his Licence.

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

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

**HEARINGS**

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

**(a) TERRY McCALLUM, 94 ESPIESIDE CRESCENT, COATBRIDGE**

5. With reference to paragraph 9 of the Minute of the meeting of this Sub-Committee held on 10 June 2002, the Head of Legal Services advised that consideration of an application by Terry McCallum, 94 Espieside Crescent, Coatbridge 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 Law 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 Terry McCallum for a Private Hire Car Driver's Licence be granted for a period of one year.

**(b) THOMAS McALEESE, 30 LIVINGSTON PLACE, GARTLEA**

6. With reference to paragraph 4 of the Minute of the meeting of this Sub-Committee held on 10 June 2002, the Head of Legal Services advised that consideration of an application by Thomas McAleese, 30 Livingstone Place, Gartlea for the renewal of his 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 Law speak in relation to 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 Thomas McAleese for the renewal of his Private Hire Car Driver's Licence be granted for a period of one year.

**(2) STREET TRADER'S LICENCE - NEW APPLICATIONS**

**(a) KIRSTY FERRI, 5 ROBERTSON DRIVE, BELLSHILL**

7. The Head of Legal Services advised (1) that an application by Kirsty Ferri, 5 Robertson Drive, Bellshill for a Street Trader's Licence to enable her to trade from a Static Snack Van in Bellshill had been received; (2) that a late objection to the application had been received from the Chief Constable, and (3) that Kirsty Ferri had various convictions.

Superintendent Law then explained the reason for the objection by the Chief Constable being submitted late and the applicant advised that she had no objections to the late application by the Chief Constable being considered.

There was then tabled the objection by the Chief Constable together with a letter of support from the Council's Department of Social Work, Criminal Justice Section.

The Sub-Committee then heard Superintendent Law outline the Chief Constable's objection and Kirsty Ferri speak in support 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 Kirsty Ferri for a Street Trader's Licence be granted.

**(b) SAMUEL WRIGHT, 18 MAIN ROAD, HARTHILL**

8. The Head of Legal Services advised (1) that an application by Samuel Wright, 18 Main Road, Harthill for a Street Trader's Licence, to enable him to trade from his static snack van at Mossburn Avenue, Harthill Industrial Estate, had been received, and (2) that objections to the application had been received from the Director of Planning and Environment and the Chief Constable.

The Administrative Officer indicated that neither the Director of Planning and Environment or a representative from his Department, was in attendance.

The Sub-Committee then heard Constable Wilson, Traffic Section, outline the Chief Constable's objection and Samuel Wright 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 then re-admitted to the meeting.

The Sub-Committee then expressed concern regarding the absence of the Director of Planning and Environment, or a representative from his Department, to speak in support of the objection to the application.

**Decided:**

- (1) that a letter be forwarded to the Chief Executive expressing the Sub-Committee's concerns regarding the failure of the Director of Planning and Environment, or his representative, to attend the Sub-Committee meetings when requested, and
- (2) that the application by Samuel Wright for a Street Trader's Licence be granted.

**(3) TAXI DRIVER'S LICENCE - NEW APPLICATION - STANLEY ALAN DALE, 3B LOMOND DRIVE, WISHAW**

9. With reference to paragraph 10 of the Minute of the meeting of this Sub-Committee held on 10 June 2002, the Head of Legal Services advised (1) that an application by Stanley Alan Dale, 3B Lomond Drive, Wishaw for a 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; (2) that a late objection to the application had been received from the Chief Constable, and (3) that Stanley Alan Dale had spent convictions.

The Administrative Officer indicated that Stanley Alan Dale was not in attendance.

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

Superintendent Law then explained the reason for the objection by the Chief Constable being submitted late.

The Sub-Committee on resuming consideration of the matter decided that the late objection by the Chief Constable be considered.

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

The Sub-Committee on resuming consideration of the matter, decided that full details of Stanley Alan Dale's spent convictions should be disclosed.

The Sub-Committee than heard Superintendent Law give details of the spent convictions and outline the Chief Constable's objection.

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

Representatives of the police were then readmitted to the meeting.

**Decided:** that the application by Stanley Alan Dale for a Taxi Driver's Licence be refused.