

Motherwell, 20 March 2003 at 9.30 am.

A 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 Docherty and Constable McCann, "N" Division, Strathclyde Police.

APOLOGIES

Councillors Cefferty and Irvine.

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 on the grounds that the business involved the likely disclosure of exempt information as defined in paragraphs 6 and 14 of Part 1 of Schedule 7A of the Act.

HEARINGS

(1) TAXI DRIVER'S LICENCE - NEW APPLICATION - HUGH YOUNG GAILEY, 544 BELLSHILL ROAD, MOTHERWELL

1. With reference to paragraph 1 of the Minute of the meeting of this Sub-Committee held on 20 February 2003, the Head of Legal Services advised that consideration of an application (tabled) by Hugh Young Gailey, 544 Bellshill Road, Motherwell 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.

The Sub-Committee then heard the applicant and Superintendent Docherty 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 Hugh Young Gailey for a Taxi Driver's Licence be granted for a period of one year.

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

(a) MARIA THERESA BRODIE, 32 AITKENHEAD AVENUE, COATBRIDGE

2. The Head of Legal Services advised (1) that an application (tabled) by Maria Theresa Brodie, 32 Aitkenhead Avenue, Coatbridge for a Private Hire Car Driver's Licence had been received, and (2) that a late representation in respect of the application had been received from the Chief Constable, Strathclyde Police.

The Sub-Committee then heard Superintendent Docherty explain the reason for the Chief Constable's representation being submitted late and Maria Theresa Brodie advise that she had no objection to the Chief Constable's representation being considered.

The Sub-Committee then heard Superintendent Docherty outline the Chief Constable's representation (tabled) to the application and Maria Theresa Brodie speak in support of her 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 Maria Theresa Brodie for a Private Hire Car Driver's Licence be granted.

(b) JAMES DICKSON, 61 COLDSTREAM CRESCENT, COLTNESS, WISHAW

3. With reference to paragraph 2 of the Minute of the meeting of this Sub-Committee held on 20 February 2003, the Head of Legal Services advised (1) that consideration of an application (tabled) by James Dickson, 61 Coldstream Crescent, Coltness, 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, and (2) that James Dickson 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 James Dickson.

The Sub-Committee then heard the applicant and Superintendent Docherty 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 James Dickson for a Private Hire Car Driver's Licence be granted for a period of one year.

(3) PRIVATE HIRE CAR LICENCE AND TAXI DRIVER'S LICENCE - RENEWAL - DAVID IAN McDONALD, 91 ARRAN DRIVE, RAVENSWOOD, CUMBERNAULD

4. With reference to paragraph 7 of the Minute of the meeting of this Sub-Committee held on 20 February 2003, the Head of Legal Services advised that consideration of an application by David Ian McDonald, 91 Arran Drive, Ravenswood, Cumbernauld for the renewal of his Private Hire Car Licence and 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 Sub-Committee then heard the applicant and Superintendent Docherty 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 David Ian McDonald for the renewal of his Private Hire Car Licence and Taxi Driver's Licence be granted.

(4) TAXI DRIVER'S LICENCE - COMPLAINT - JOHN HAMILTON, 4 HAMILTON PLACE, NEW STEVENSTON, MOTHERWELL

5. With reference to paragraph 4 of the Minute of the meeting of this Sub-Committee held on 20 February 2003, the Head of Legal Services advised that consideration of a complaint relative to the behaviour of John Hamilton, 4 Hamilton Place, New Stevenston, Motherwell had been continued to allow John Hamilton an opportunity to appear before the Sub-Committee to speak in relation to the complaint.

The Sub-Committee then heard John Hamilton speak in respect of the complaint.

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

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

Decided: that the Taxi Driver's Licence, currently held by John Hamilton, be not suspended.

(5) PRIVATE HIRE CAR LICENCE AND TAXI DRIVER'S LICENCE - COMPLAINTS

(a) WILLIAM KENMUIR, 15 CROFTCOT AVENUE, BELLSHILL

6. With reference to paragraph 3 of the Minute of the meeting of this Sub-Committee held on 20 February 2003, the Head of Legal Services advised that consideration of a complaint by the Chief Constable and Rosemary Wilson, 13 Croftcot Avenue, Bellshill relative to the behaviour of William Kenmuir, 15 Croftcot Avenue, Bellshill had been continued to allow William Kenmuir an opportunity to appear before the Sub-Committee to speak in relation to the complaint.

The Administrative Officer then indicated that Rosemary Wilson was not in attendance.

The Sub-Committee then heard Superintendent Docherty outline the Chief Constable's complaint and William Kenmuir's agent, Mr. Bell, Leonards, Solicitors speak in respect of the complaint.

Thereafter, William Kenmuir, Mr. Bell and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

William Kenmuir, Mr. Bell and representatives of the Police were then re-admitted to the meeting.

Decided: that the Private Hire Car Licence and Taxi Driver's Licence, currently held by William Kenmuir, be not suspended.

(b) JAMES McTIERNAN, 52 JOHN WILSON DRIVE, KILSYTH

7. The Head of Legal Services advised of a complaint by the Chief Constable, Strathclyde Police, relative to the behaviour of James McTiernan, 52 John Wilson Drive, Kilsyth, who currently held Private Hire Car Licences and a Taxi Driver's Licence.

The Sub-Committee then heard Superintendent Docherty outline the Chief Constable's complaint and James McTiernan's agent, Mr. Devany, Ness Gallagher & Company, Solicitors speak in respect of the complaint.

Thereafter, James McTiernan, Mr. Devany and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

James McTiernan, Mr. Devany and representatives of the Police were then re-admitted to the meeting.

Decided: that the Private Hire Car Licences and Taxi Driver's Licence, currently held by James McTiernan, be not suspended.

(6) STREET TRADER'S LICENCE - NEW APPLICATION - ALLAN GEMMELL, 50 WEST END DRIVE, BELLSHILL

8. The Head of Legal Services advised (1) that an application by Allan Gemmell, 50 West End Drive, Bellshill for a Street Trader's Licence to enable him to trade from an ice cream van in the Orbiston area, including the Jewel Scheme, Bellshill had been received, and (2) that Allan Gemmell had subsequently withdrawn his application.

Decided: that it be noted that the application by Allan Gemmell for a Street Trader's Licence had been withdrawn.