

**Motherwell, 15 April 2003 at 9.30 am.**

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

**PRESENT**

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

**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 and Sergeant Urban, "N" Division, Strathclyde Police.

**APOLOGIES**

Councillors Cefferty and Love.

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

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

**Applicant** Martin Paterson, 52 Dudley Drive, Townhead, Coatbridge.

**Decided:** that the application by Martin Paterson for a Private Hire Car Driver's Licence be granted.

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

**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 item 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) PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATION - RAYMOND HUNTER, 271 OAK ROAD, ABRONHILL, CUMBERNAULD**

2. The Head of Legal Services advised (1) that an application (tabled) by Raymond Hunter, 271 Oak Road, Abronhill, Cumbernauld for a Private Hire Car Driver's Licence had been received, and (2) that a late objection to the application had been received from the Chief Constable, Strathclyde Police.

The Sub-Committee then heard Chief Superintendent Buchan explain the reason for the Chief Constable's objection being submitted late.

The Sub-Committee then heard Chief Superintendent Buchan outline the Chief Constable's objection and Raymond Hunter's agent, Mr. Yuille, Carr & Company, Solicitors, speak in support of the application.

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

The applicant, Mr. Yuille and representatives of the Police were then re-admitted to the meeting.

**Decided:** that the application by Raymond Hunter for a Private Hire Car Driver's Licence be refused.

**Councillor Chadha being the mover of an amendment which failed to attract a seconder, requested that his dissent be recorded.**

**(2) PRIVATE HIRE CAR LICENCES AND TAXI DRIVER'S LICENCE - COMPLAINT - JAMES McTIERNAN, 52 JOHN WILSON DRIVE, KILSYTH**

3. With reference to paragraph 7 of the Minute of the meeting of this Sub-Committee held on 20 March 2003, the Head of Legal Services advised of a complaint (tabled) 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 Chief Superintendent Buchan 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 consideration of the complaint by the Chief Constable relative to the behaviour of James McTiernan be continued.

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

**(a) JOHN RUSK DARGUE, 22 BUTE TERRACE, TANNOCHSIDE, UDDINGSTON**

4. With reference to paragraph 2 of the Minute of the special meeting of this Sub-Committee held on 28 February 2003, the Head of Legal Services advised that consideration of an application (tabled) by John Rusk Dargue, 22 Bute Terrace, Tannochside, Uddingston 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 Chief 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 John Rusk Dargue for a Private Hire Car Driver's Licence be granted.

**(b) JAMES DONOHOE, 7 HILLSIDE COTTAGES, GLENBOIG**

5. With reference to paragraph 2 of the Minute of the special meeting of this Sub-Committee held on 28 February 2003, the Head of Legal Services advised (1) that consideration of an application (tabled) by James Donohoe, 7 Hillside Cottages, Glenboig 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 Donohoe had spent convictions.

The Sub-Committee then heard James Donohoe give details of the spent convictions.

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 Donohoe for a Private Hire Car Driver's Licence be granted for a period of one year.

**(c) KENNETH McMILLAN, 82 GREENLEA ROAD, MUIRHEAD, CHRYSTON**

6. With reference to paragraph 4 of the Minute of the special meeting of this Sub-Committee held on 28 February 2003, the Head of Legal Services advised (1) that consideration of an application (tabled) by Kenneth McMillan, 82 Greenlea Road, Muirhead, Chryston 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 an objection (tabled) to the application had been received from the Chief Constable, Strathclyde Police.

The Sub-Committee then heard Chief Superintendent Buchan outline the Chief Constable's objections to the application and Kenneth McMillan 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.

**Decided:** that the application by Kenneth McMillan for a Private Hire Car Driver's Licence be refused.

**(4) TAXI DRIVER'S LICENCE - NEW APPLICATIONS**

**(a) ANTHONY O'NEILL, 5 LAUREL DRIVE, WISHAW**

7. The Head of Legal Services advised (1) that an application (tabled) by Anthony O'Neill, 5 Laurel Drive, Wishaw for a Taxi Driver's Licence had been received, and (2) of the background relative thereto.

The Sub-Committee then heard the applicant and Chief Superintendent Buchan speak in respect of the application.

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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 Anthony O'Neill for a Taxi Driver's Licence be granted.

**(b) GERARD O'NEILL, 14 WILTON STREET, COATBRIDGE**

8. With reference to paragraph 1 of the Minute of the special meeting of this Sub-Committee held on 28 February 2003, the Head of Legal Services advised that consideration of an application (tabled) by Gerard O'Neill, 14 Wilton Street, Coatbridge 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 Chief 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 Gerard O'Neill for a Taxi Driver's Licence be granted for a period of one year.

**(c) ROBERT PATERSON, 45 LOANCROFT AVENUE, BAILLIESTON, GLASGOW**

9. The Head of Legal Services advised (1) that an application (tabled) by Robert Paterson, 45 Loancroft Avenue, Baillieston, Glasgow for a Taxi Driver's Licence had been received, and (2) of the background relative thereto.

The Sub-Committee then heard the applicant 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.

Mr. Paterson then indicated that he had subsequently decided to withdraw his application.

**Decided:** that it be noted that the application by Robert Paterson for a Taxi Driver's Licence had been withdrawn.

**(5) LATE HOURS CATERING LICENCE - NEW APPLICATION - JAVED GAFOOR, 5 CEDAR GARDENS, NEWARTHILL**

10. With reference to paragraph 1 of the Minute of the special meeting of this Sub-Committee held on 27 March 2003, the Head of Legal Services advised (1) that consideration of an application by Javed Gafoor, 5 Cedar Gardens, Newarthill for a Late Hours Catering Licence in respect of the premises at Unit 5, 146 Main Street, Holytown had been continued to allow the applicant another opportunity to appear before the Sub-Committee to speak in support of his application, and (2) that Javed Gafoor had subsequently withdrawn his application.

**Decided:** that it be noted that the application by Javed Gafoor for a Late Hours Catering Licence had been withdrawn.

**(6) STREET TRADER'S LICENCE - NEW APPLICATION - ROSELYN NEILSON, 34 LINNHE CRESCENT, PATHER, WISHAW**

11. With reference to paragraph 1 of the Minute of the special meeting of this Sub-Committee held on 31 March 2003, the Head of Legal Services advised (1) that consideration of an application (tabled) by Roselyn Neilson, 34 Linnhe Crescent, Pather, Wishaw for a Street Trader's Licence to enable her to trade from her static snack van at Canyon Road, Excelsior Park, Netherton had been continued to allow the applicant another opportunity to appear before the Sub-Committee to speak in support of her application, and (2) that objections (tabled) to the application had been received from Mr. and Mrs. Michael McPharlane and the Director of Housing and Property Services.

The Administrative Officer then indicated that Roselyn Neilson was not in attendance.

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

The Sub-Committee then heard Mr. McPharlane outline his objection to the application and Mr. Sheppard outline the Director of Housing and Property Services' objection to the application.

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

Mr. McPharlane, Mr. Sheppard and representatives of the Police were then re-admitted to the meeting.

**Decided:** that the application by Roselyn Neilson for a Street Trader's Licence be refused.