

Motherwell, 11 August 2003 at 11 am.

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

PRESENT

Councillor Holloway, Convener; Provost Connelly; Councillors Barrie, Chadha, Gormill, Homer, Irvine, McAuley, McKenna, J. Martin, Saunders and Wallace

CHAIR

Councillor Holloway (Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

Chief Superintendent Buchan and Sergeant Fabian, "N" Division, Strathclyde Police.

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: James Fraser, 19 Hume Drive, Bothwell

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: Graham James Todd, 13 Wyvis Place, Springhill, Shotts

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 - RENEWALS

2. The Sub-Committee considered applications for the renewal of a Taxi Driver's Licence, and resolved as follows, viz:-

Applicant: Alexander Friel, 0/1, 28 Gartcraig Place, Ruchazie, 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.

Applicant: Alasdair Martin, 3 Ramage Road, Carluke

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 - COMPLAINTS

(1) WILLIAM CARTER, 14 COURSINGTON GARDENS, MOTHERWELL

3. The Head of Legal Services advised the Sub-Committee of a complaint received from the British Transport Police relative to the behaviour of William Carter, 14 Coursington Gardens, Motherwell.

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

(2) SAMUEL HAND SHEEN, 10 SUMMERLEE ROAD, CRAIGNEUK, WISHAW

4. The Head of Legal Services advised the Sub-Committee of a complaint received from the Chief Constable, Strathclyde Police relative to the behaviour of Samuel Hand Sheen, 10 Summerlee Road, Craigneuk, Wishaw.

Decided: that consideration of the complaint be continued.

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

5. The Head of Legal Services advised the Sub-Committee of a complaint received from the Chief Constable, Strathclyde Police relative to the behaviour of Stephen Crossan, 67 Kirk Street, Coatbridge.

Decided: that consideration of the complaint be continued.

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

6. The Head of Legal Services advised the Sub-Committee of a complaint received from the Chief Constable, Strathclyde Police relative to the behaviour of Garry Hugh McCutcheon, 168 Torbrex Road, Cumbernauld.

Decided: that consideration of the complaint be continued.

STREET TRADER'S LICENCE - NEW APPLICATIONS

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

Applicant: Andrew Ramage, Springhill Avenue, Douglas, Lanark

Nature of Business: Wheelie Bin Cleaning

Location: North Lanarkshire wide

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: Sean Robert Quinn, 19 Hawthorn Drive, Craigneuk, Airdrie

Nature of Business: Mobile Cleaning Service

Location: Cambusnethan, Cleland, Holytown, Newarthill, New Stevenston and Overtown

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

HEARINGS

(1) TAXI DRIVER'S LICENCE

(a) NEW APPLICATION - HELEN McFARLANE, 58 BUSH CRESCENT, WISHAW

8. The Head of Legal Services advised (1) that an application (tabled) by Helen McFarlane, 58 Bush Crescent, Wishaw for a Taxi Driver's Licence had been received, and (2) of the background relative thereto.

The Administrative Officer then indicated that Helen McFarlane was not in attendance.

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

Decided: that the application by Helen McFarlane for a Taxi Driver's Licence be refused.

(b) VARIATION - COLIN CAMPBELL, 126 EMPIRE WAY, MOTHERWELL

9. The Head of Legal Services advised (1) that an application (tabled) by Colin Campbell, 126 Empire Way, Motherwell for a variation of his Taxi Licence to remove Janet Campbell's name from the Licence, and to add Caroline Quinn, 5 Cornelia Street, Motherwell, and (2) of the background relative thereto.

The Administrative Officer then indicated that Janet Campbell and Caroline Quinn were not in attendance.

The Sub-Committee then heard Colin Campbell speak in support of his application.

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

Colin Campbell and representatives of the Police were then re-admitted to the meeting.

Decided:

- (1) that the application by Colin Campbell to vary his Taxi Driver's Licence to remove Janet Campbell from the Licence be granted, and
- (2) that the application by Colin Campbell to vary his Taxi Driver's Licence to add Caroline Quinn as a joint Licence holder be refused.

(2) STREET TRADER'S LICENCE - NEW APPLICATIONS

(a) LESLEY ANNE BARCLAY, 22 GLEN MALLIE, ST. LEONARDS, EAST KILBRIDE

10. The Head of Legal Services advised (1) that an application (tabled) by Lesley Anne Barclay, 22 Glen Mallie, St. Leonards, East Kilbride for a Street Trader's Licence, to enable her to trade from her static snack van at Kirk Road, Newhouse Industrial Estate had been received; (2) that a representation (tabled) on the application had been received from the Director of Planning and Environment, and (3) that an objection (tabled) to the application had been received from Mr. Carr, a local trader.

The Administrative Officer then indicated that Mr. Carr was not in attendance.

The Sub-Committee then heard John Crow, Transportation Section, Department of Planning and Environment, outline the Director of Planning and Environment's representation, proposing an alternative location to the west side of Kirk Road and Lesley Anne Barclay speak in support of her application and indicate her acceptance of the Director of Planning and Environment's proposal.

Thereafter John Crow, Lesley Anne Barclay and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

John Crow, Lesley Anne Barclay and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Lesley Anne Barclay for a Street Trader's Licence to enable her to trade at the alternative location to the west side of Kirk Road, Newhouse Industrial Estate, be granted.

(b) ANDREW DEMPSEY, 110 BURNSIDE WALK, COATBRIDGE

11. The Head of Legal Services advised (1) that an application (tabled) by Andrew Dempsey, 110 Burnside Walk, Coatbridge for a Street Trader's Licence to enable him to trade from his static snack van at Bedley View, Tannochside Park, Uddingston had been received; (2) that objections to the application had been received from the Director of Planning and Environment (tabled) and Graham and Sibbald, Estate Managers, and (3) that the objection from Graham and Sibbald had been received late.

Councillor Gormill, seconded by Councillor McKenna, moved that the late objection by Graham and Sibbald be not taken into consideration.

Councillor Chadha, seconded by Councillor Saunders, moved, as an amendment, that the late objection from Graham and Sibbald be taken into consideration.

On a vote being taken, 6 Members voted for the amendment and 6 Members voted for the motion. The vote being equal, the Convener exercised his casting vote in favour of the amendment, which was accordingly declared carried.

The Sub-Committee then heard John Crow, Transportation Section, Department of Planning and Environment advise that he wished to withdraw the Director of Planning and Environment's objection as Andrew Dempsey had agreed to an alternative location in Bedley View.

The Sub-Committee then heard Mr. Black outline Graham and Sibbald's objection (tabled) to the application and Andrew Dempsey speak in support of his application.

Thereafter, Andrew Dempsey, John Crow, Mr. Black and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Andrew Dempsey, John Crow, Mr. Black and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Andrew Dempsey for a Street Trader's Licence to enable him to trade from his static snack van at the alternative location in Bedley View, Tannochside Park be granted.

(c) CATHERINE FLEMING, 37 LOMOND ROAD, TOWNHEAD, COATBRIDGE

12. The Head of Legal Services advised (1) that an application (tabled) by Catherine Fleming, 37 Lomond Road, Townhead, Coatbridge, for a Street Trader's Licence, to enable her to trade from her static snack van at Townhead Avenue, Eurocentral, Holytown had been received, and (2) that objections (tabled) to the application had been received from the Director of Planning and Environment and Scottish Enterprise.

The Administrative Officer then indicated that Catherine Fleming and a representative from Scottish Enterprise were not in attendance.

The Sub-Committee then heard John Crow, Transportation Section, Department of Planning and Environment outline the Director of Planning and Environment's objection to the application and Catherine Fleming's husband, speak in support of the application.

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

Mr. Fleming, John Crow and representatives of the Police were then re-admitted to the meeting.

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