

Motherwell, 18 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, McKenna, J. Martin, Saunders and Wallace

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, "N" Division, Strathclyde Police.

APOLOGY

Councillor McAuley.

PRIVATE HIRE CAR DRIVER'S LICENCE

(1) NEW APPLICATION

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

Applicant: David Cunningham, 76 Dundyvan Place, 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.

(2) RENEWAL

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

Applicant: Gerard McTear, 160 Westwood Road, Newmains

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

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.

(1) PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATION - STEVEN JAMES GALLOWAY, 104 SPRINGFIELD ROAD, THE VILLAGE, CUMBERNAULD

3. With reference to paragraph 1 of the Minute of the meeting of this Sub-Committee held on 24 June 2003, the Head of Legal Services advised that consideration of an application (tabled) by Steven James Galloway, 104 Springfield Road, The Village, Cumbernauld 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.

Councillor Gormill, seconded by Councillor Wallace, moved that the application by Steven James Galloway for a Private Hire Car Driver's Licence be granted for a period of one year.

Councillor Connelly, seconded by Councillor Chadha, moved, as an amendment, that the application by Steven James Galloway for a Private Hire Car Driver's Licence be refused.

On a vote being taken, six Members voted for the amendment and 3 Members voted for the motion. The amendment was accordingly declared carried.

Decided: that the application by Steven James Galloway for a Private Hire Car Driver's Licence be refused.

(2) TAXI LICENCE - VARIATION - WILLIAM SMITH, 11 CRAIGMOCHAN AVENUE, AIRDRIE

4. The Head of Legal Services advised (1) that an application by William Smith, 11 Craigmochan Avenue, Airdrie to vary his Taxi Licence to add John Laidlaw, 54 Southburn Road, Airdrie as a joint Licence holder had been received; (2) of the background relative thereto, and (3) that William Smith had requested that consideration of the matter be continued as his representative was on holiday.

Decided: that the application by William Smith to vary his Taxi Licence be continued.

(3) WINDOW CLEANER'S LICENCE - NEW APPLICATIONS

(a) ANDREW ARBUCKLE, 90 ALLAN STREET, COATBRIDGE

5. With reference to paragraph 7 of the Minute of the meeting of this Sub-Committee held on 24 June 2003, the Head of Legal Services advised that consideration of an application (tabled) by Andrew Arbuckle, 90 Allan Street, Coatbridge for a Window Cleaner'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 Andrew Arbuckle for a Window Cleaner's Licence be granted for a period of one year.

(b) CHARLES TONER, 27 STIRLING STREET, KIRKWOOD, COATBRIDGE

6. With reference to paragraph 7 of the Minute of the meeting of this Sub-Committee held on 24 June 2003, the Head of Legal Services advised (1) that consideration of an application (tabled) by Charles Toner, 27 Stirling Street, Kirkwood, Coatbridge for a Window Cleaner'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 Charles Toner 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 Charles Toner.

The Sub-Committee then heard Charles Toner give details of the spent convictions.

The Sub-Committee then heard the applicant and Chief Superintendent Buchan 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 Charles Toner for a Window Cleaner's Licence be granted for a period of one year.

(4) SECOND HAND DEALER'S LICENCE - EDWARD MURPHY, 15 RATHO DRIVE, WINDSORGATE, CUMBERNAULD AND PAUL KERR, 31 MUIRFIELD ROAD, WESTERWOOD, CUMBERNAULD

7. The Head of Legal Services advised (1) that an application (tabled) by Edward Murphy, 15 Ratho Drive, Windsorgate, Cumbernauld and Paul Kerr, 31 Muirfield Road, Westerwood, Cumbernauld for a Second Hand Dealer's Licence to enable them to trade in second hand car sales at the premises of Paul Edwards Motor Company, 18D Cumbernauld Road, Mollinsburn had been received, and (2) that representations on the application had been received from (a) the Director of Planning and Environment, and (b) Councillor Hogg, local Member.

The Administrative Officer indicated that Paul Kerr was not in attendance.

The Sub-Committee then heard (1) Ken Craig, Building Control Section and Gary Grieve, Transportation Section, Department of Planning and Environment outline the Director of Planning and Environment's representation on the application; (2) Councillor Hogg outline his representation on the application, and (3) Edward Murphy speak in support of his application.

Thereafter, the applicant, Ken Craig, Gary Grieve and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant, Ken Craig, Gary Grieve and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Edward Murphy and Paul Kerr for a Second Hand Dealer's Licence be granted, subject to the conditions set out by the Director of Planning and Environment.

(5) STREET TRADER'S LICENCE - NEW APPLICATION - JAMES BURNSIDE, 66 EAST STEWART STREET, COATBRIDGE

8. The Head of Legal Services advised (1) that an application by James Burnside, 66 East Stewart Street, Coatbridge for a Street Trader's Licence to enable him to trade from his static snack van at 9 Saline Street, Airdrie had been received; (2) that objections to the application had been received from (a) Trade Secrets; (b) Monklands Taxis Limited, and (c) Mr. Tuffley, local trader; (3) that a representation had been received from the Director of Planning and Environment, and (4) that due to a family illness, James Burnside had indicated he was unable to be in attendance and sought a continuation of the matter.

Decided: that the application by James Burnside for a Street Trader's Licence be continued to allow James Burnside another opportunity to appear before the Sub-Committee to speak in support of his application.