

Motherwell, 25 August 2003 at 9.30 am.

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

PRESENT

Councillor Holloway, Convener; Councillors Barrie, Chadha, Gormill, McAuley, 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

Superintendent McGuire, "N" Division, Strathclyde Police.

APOLOGY

Provost Connelly.

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.

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

HEARINGS

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

(a) ALAN HUGHES, 177 BRIDGEBURN DRIVE, MOODIESBURN

1. The Head of Legal Services advised (1) that an application (tabled) by Alan Hughes, 177 Bridgeburn Drive, Moodiesburn for a Private Hire Car Driver's Licence had been received, and (2) that Alan Hughes had disclosed spent convictions.

The Sub-Committee then heard Alan Hughes give details of the spent convictions.

The Sub-Committee then heard Alan Hughes and Superintendent McGuire 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 Alan Hughes for a Private Hire Car Driver's Licence be granted for a period of one year.

(b) JOSEPH McPAKE, 50 MERRYSTON COURT, COATBRIDGE

2. 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 (1) that consideration of an application by Joseph McPake, 50 Merryston Court, 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, and (2) that Joseph McPake had advised that he would not be in attendance due to a holiday commitment.

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

Decided: that the application by Joseph McPake for a Private Hire Car Driver's Licence be continued to allow Joseph McPake another opportunity to appear before the Sub-Committee to speak in support of his application.

(c) MICHAEL WHITEFORD, 11 ANDERSON CRESCENT, QUEENZIEBURN, KILSYTH

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 Michael Whiteford, 11 Anderson Crescent, Queenzieburn, Kilsyth 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 McGuire 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 Michael Whiteford for a Private Hire Car Driver's Licence be refused.

(2) PRIVATE HIRE CAR LICENCE - RENEWAL - JAMES McTIERNAN, 52 JOHN WILSON DRIVE, KILSYTH

4. The Head of Legal Services advised (1) that an application (tabled) by James McTiernan, 52 John Wilson Drive, Kilsyth for the renewal of his Private Hire Car Licence had been received, and (2) that an objection (tabled) to the application had been received from the Chief Constable, Strathclyde Police.

The Sub-Committee then heard Superintendent McGuire outline the Chief Constable's objection to the application and James McTiernan's agent, Mr. Devanny, Ness Gallagher, Solicitors, speak in support of the application.

Thereafter, the applicant, Mr. Devanny 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.

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Decided: that the application by James McTiernan for the renewal of his Private Hire Car Licence be granted.

(3) TAXI LICENCE - VARIATION - DANIEL GOWER, C/O 3 HERMES WAY, BELLSHILL

5. The Head of Legal Services advised (1) that an application (tabled) by Daniel Gower, c/o 3 Hermes Way, Bellshill for the variation of his Taxi Licence to add Colin Nichol, 3 Hermes Way, Bellshill as a joint Licence holder had been received, and (2) the background relative thereto.

The Sub-Committee then heard Daniel Gower's agent, Mr. Bell, Leonards, Solicitors, and Colin Nichol speak in support of the application.

Mr. Bell then requested that consideration of the application be continued to allow Daniel Gower and Colin Nichol an opportunity to obtain further information in support of the application.

Decided: that the application by Daniel Gower to vary his Taxi Licence be continued to allow Daniel Gower and Colin Nichol an opportunity to obtain further information in support of the application.

(4) PRIVATE HIRE CAR DRIVER'S LICENCE AND PRIVATE HIRE CAR LICENCE - RENEWAL - DEREK SHARKEY, 141 BRANKHOLM BRAE, HILLHOUSE, HAMILTON

6. With reference to paragraph 3 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 Derek Sharkey, 141 Bankholm Brae, Hillhouse, Hamilton for the renewal of his Private Hire Car Driver's Licence and Private Hire Car Licence had been continued to allow Derek Sharkey an opportunity to appear before the Sub-Committee to speak in support of his application, and (2) that a late representation had been received from the Chief Constable, Strathclyde Police.

The Sub-Committee then heard Superintendent McGuire explain the reason for the Chief Constable's representation being submitted late and Derek Sharkey advise that he had no objection to the late representation being considered.

The Sub-Committee then heard Superintendent McGuire speak in respect of the late representation (tabled) and Derek Sharkey 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 Derek Sharkey for the renewal of his Private Hire Car Driver's Licence and Private Hire Car Licence be granted.

(5) WINDOW CLEANER'S LICENCE - NEW APPLICATION - WILLIAM STIRLING AIRNS, 61F CHAPEL STREET, AIRDRIE

7. 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 William Stirling Airns, 61F Chapel Street, Airdrie 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 Superintendent McGuire 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 William Stirling Airns for a Window Cleaner's Licence be granted.

(6) STREET TRADER'S LICENCE - NEW APPLICATION - GEORGE MacAULEY, 23 WESTERGILL AVENUE, AIRDRIE

8. With reference to paragraph 6 of the Minute of the meeting of this Sub-Committee held on 24 June 2002, the Head of Legal Services advised that consideration of an application (tabled) by George MacAuley, 23 Westergill Avenue, Airdrie for a Street Trader's Licence to enable him to trade from his mobile fish and chip van in the central and south licensing areas 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 McGuire 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 George MacAuley for a Street Trader's Licence to enable him to trade from his mobile fish and chip van in the central and south licensing areas be granted.

The Convener being of the view that the following item of business was of an urgent nature authorised its consideration to enable the Council to progress the item timeously.

TAXI LICENCE - COMPLAINT

9. The Head of Legal Services advised the Sub-Committee of a complaint received by the Chief Constable, Strathclyde Police relative to the behaviour of Colin McIntyre, 95 Lomond Place, Cumbernauld.

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