

Motherwell, 26 October 2007 at 10.30 am.

A Special Meeting of the **CORPORATE SERVICES (LICENSING) SUB-COMMITTEE**

PRESENT

Councillor Hogg, Convener; Councillor McAuley, Vice-Convener; Councillors Irvine, McElroy and McShannon.

CHAIR

Councillor Hogg (Convener) presided.

IN ATTENDANCE

The Administrative Officer (Committee and Civic Governance Services); Chief Solicitor (Licensing), and Licensing Solicitor.

APOLOGIES

Councillors Clarke, Harmon and S. Love.

DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000

1. No declarations were made.

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.

HEARING

SECOND HAND DEALER'S LICENCE - COMPLAINT - ROSS S G HENDERSON, 6 DUKE STREET, NEWMAINS

2. With reference to paragraph 6 of the Minute of the meeting of this Sub-Committee held on 19 September 2007, the Chief Solicitor advised that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, a complaint (tabled) had been received from the Council's Licensing Enforcement Officers relative to the behaviour of Ross S G Henderson, 6 Duke Street, Newmains who currently held a Second Hand Dealer's Licence trading from the premises at 42 Main Street, Chapelhall.

The Sub-Committee heard Robert Sommerville, Licensing Enforcement Officer, outline his complaint and Ross Henderson and his brother-in-law, Chris Jones, speak in respect of the complaint.

Thereafter, Ross Henderson, Chris Jones and Robert Sommerville withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Ross Henderson, Chris Jones, Robert Sommerville were then re-admitted to the meeting.

The Sub-Committee, on resuming consideration of the matter, determined that the complaint be upheld.

The Sub-Committee then heard Ross Henderson and Chris Jones in mitigation.

Thereafter, Ross Henderson, Chris Jones and Robert Sommerville again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Ross Henderson, Chris Jones and Robert Sommerville were then re-admitted to the meeting.

Decided: that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, the Second Hand Dealer's Licence currently held by Ross Henderson be not suspended, on the understanding that the Head of Legal Services issue Ross Henderson with a letter warning him as to his future conduct.

Motherwell, 31 October 2007 at 9.30 am.

A Meeting of the **CORPORATE SERVICES (LICENSING) SUB-COMMITTEE**

PRESENT

Councillor Hogg, Convener; Councillors Ferrie, Harmon, Homer, Irvine, S. Love and McElroy.

CHAIR

Councillor Hogg (Convener) presided.

IN ATTENDANCE

The Administrative Officer (Committee and Civic Governance Services); Chief Solicitor (Licensing) and Licensing Solicitor.

ALSO IN ATTENDANCE

Superintendent Hamilton and Sergeant Harkin, "N" Division, Strathclyde Police.

APOLOGIES

Councillors McAuley and Wallace.

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

DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000

1. No declarations were made.

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) **RECALL OF SUSPENSION – TAXI DRIVER'S LICENCE AND PRIVATE HIRE CAR LICENCE - MICHAEL KEELAN, 11 JAMES HAMILTON DRIVE, BELLSHILL**
2. With reference to paragraph 2 of the Minute of the meeting of the General Purposes (Licensing) Sub-Committee held on 29 March 2007, when it was agreed that, in terms of paragraph 11 of the Civic Government (Scotland) Act 1982, the Taxi Driver's Licence and Private Hire Car Licence held by Michael Keelan, 11 James Hamilton Drive, Bellshill be suspended for the unexpired duration of the Licence, the Chief Solicitor advised that the Chief Constable, Strathclyde Police, had submitted a letter (tabled) withdrawing his original complaint relative to the behaviour of Michael Keelan.

The Sub-Committee then heard (1) Superintendent Hamilton confirm that, on behalf of the Chief Constable, he wished to withdraw the complaint, and (2) Michael Keelan in mitigation.

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

Michael Keelan and representatives of the Police were then re-admitted to the meeting.

Decided: that, in terms of paragraph 11(6) of the Civic Government (Scotland) Act 1982, the suspension of Michael Keelan's Taxi Driver's Licence and Private Hire Car Licence be recalled.

(2) TAXI DRIVER'S LICENCE – RENEWAL - MICHAEL KEELAN, 11 JAMES HAMILTON DRIVE, BELLSHILL

3. With reference to the immediately preceding paragraph, the Chief Solicitor advised that an application (tabled) by Michael Keelan, 11 James Hamilton Drive, Bellshill for the renewal of his Taxi Driver's Licence had been received.

Decided: that the application by Michael Keelan for the renewal of his Taxi Driver's Licence be granted.

(3) LATE HOURS CATERING LICENCE – VARIATION - KARIM ALKASIR, 19 THOMAS MUIR AVENUE, BISHOPBRIGGS

4. The Chief Solicitor advised (1) that an application (tabled) by Karim Alkasir, 19 Thomas Muir Avenue, Bishopbriggs, for a variation to his Late Hours Catering Licence in respect of the premises at Barbecue Kings, 183 Bank Street, Coatbridge had been received, and (2) that an objection (tabled) to the application had been received from Councillor Paul Welsh, a local Member.

The Administrative Officer then indicated that Councillor Welsh was not in attendance.

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

The Sub-Committee then heard Karim Alkasir speak in support of his application.

Karim Alkasir and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Karim Alkasir and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Karim Alkasir for the variation of his Late Hours Catering Licence be granted.

(4) SECOND HAND DEALER'S LICENCE – NEW APPLICATION - STEPHEN COOPER SHEEN, 39 MELROSE STREET, HAMILTON

5. The Chief Solicitor advised (1) that an application (tabled) by Stephen Cooper Sheen, 39 Melrose Street, Hamilton for a Second Hand Dealer's Licence to enable him to trade in Second Hand Car and Van Hire and Sales from the premises at 10 Summerlee Road, Craigneuk, Wishaw had been received and (2) that, in terms of paragraph 5(3)(b) of the Civic Government (Scotland) Act 1982, a late objection to the application had been received from the Chief Constable, Strathclyde Police relative to the behaviour of the applicant's sibling.

The Sub-Committee then heard (1) Superintendent Hamilton outline the reasons for the Chief Constable's objection being submitted late, and (2) Stephen Sheen indicate that he objected to the Chief Constable's objection being considered.

The Sub-Committee then determined that the late objection from the Chief Constable be considered and tabled.

The Sub-Committee then heard (1) Superintendent Hamilton outline the Chief Constable's objection to the application, and (2) Stephen Sheen 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 Stephen Cooper Sheen for a Second Hand Dealer's Licence be granted.

(5) STREET TRADER'S LICENCE – NEW APPLICATION - GARRETH WARD, 16 LASHLEY GROVE, OVERTOWN, WISHAW

6. The Chief Solicitor advised (1) that an application (tabled) by Garreth Ward, 16 Lashley Grove, Overtown, Wishaw for a Street Trader's Licence to enable him to trade from a static snack van in Netherdale Road, Netherton, Wishaw had been received, and (2) that an objection (tabled) to the application had been received from the Executive Director of Learning and Leisure Services.

The Administrative Officer then indicated that a representative from the Executive Director of Learning and Leisure Services was not in attendance.

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

The Sub-Committee then heard Garreth Ward and Michael MacPharlane, (van owner), speak in support of the application.

Thereafter, Garreth Ward, Michael MacPharlane and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Garreth Ward, Michael MacPharlane and representatives of the Police were re-admitted to the meeting.

Decided: that the application by Garreth Ward for a Street Trader's Licence be granted.

(6) SECOND HAND DEALER'S LICENCE – NEW APPLICATION - JULIEANNE GALLACHER, 53 MOFFAT VIEW, PLAINS

7. The Chief Solicitor advised (1) that an application (tabled) by Julieanne Gallacher, 53 Moffat View, Plains for a Second Hand Dealer's Licence to enable her to trade in Second Hand Car Sales at 22 Drumgelloch Street, Clarkston had been received; (2) that objections (tabled) to the application had been received from (a) the Executive Director of Environmental Services, and (b) the Chief Constable, Strathclyde Police in terms of paragraph 5(3)(b) of the Civic Government (Scotland) Act 1982 relative to the behaviour of the applicant's partner, and (3) that the applicant's partner had spent convictions.

The Administrative Officer then indicated that Julieanne Gallacher was not in attendance.

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

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 Superintendent Hamilton who advised why, in the Chief Constable's opinion, full details of the applicant's partner's spent convictions should be disclosed.

Thereafter, Mr. Scrymgeour, Building Standards Division, Environmental Services and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Mr. Scrymgeour and representatives of the Police were then re-admitted to the meeting.

The Sub-Committee, on resuming consideration of the matter, decided that full details of the applicant's partner's spent convictions be disclosed.

The Sub-Committee then heard (1) Mr. Scrymgeour outline the Executive Director of Environmental Services' objection to the application, and (2) Superintendent Hamilton give details of the spent convictions and outline the Chief Constable's objection to the application

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

Mr. Scrymgeour and representatives of the Police were then re-admitted to the meeting.

Decided: that, in terms of paragraph 5(3)(b) of the Civic Government (Scotland) Act 1982, the application by Julianne Gallacher for a Second Hand Dealer's Licence be refused.

Motherwell, 21 November 2007 at 9.30 am.

A Meeting of the **CORPORATE SERVICES (LICENSING) SUB-COMMITTEE**

PRESENT

Councillor McAuley, Vice-Convener; Councillors Homer, Irvine, S. Love and McElroy.

CHAIR

In the absence of Councillor Hogg, Councillor McAuley presided.

IN ATTENDANCE

The Administrative Officer (Committee and Civic Governance Services); Chief Solicitor (Licensing) and Licensing Solicitor.

ALSO IN ATTENDANCE

Superintendent Dorrian and Sergeant Harkin, "N" Division, Strathclyde Police.

APOLOGIES

Councillors Harmon, Hogg and Wallace.

DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000

1. No declarations were made.

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 APPLICATIONS

(a) STUART HUNTER, 5 HAWTHORN DRIVE, CRAIGNEUK, AIRDRIE

2. The Chief Solicitor advised (1) that an application (tabled) by Stuart Hunter, 5 Hawthorn Drive, Craigneuk, Airdrie for a Private Hire Car Driver's 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 Dorrian outline the Chief Constable's objection to the application and Stuart Hunter 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 Stuart Hunter for a Private Hire Car Driver's Licence be refused.

(b) JOHN SAUNDERS, 7 FULLERTON ROAD, CARRICKSTONE, CUMBERNAULD

3. The Chief Solicitor advised (1) that an application (tabled) by John Saunders, 7 Fullerton Road, Carrickstone, Cumbernauld for a Private Hire Car Driver's Licence had been received, and (2) that an objection (tabled) to the application had been received from the Chief Constable, Strathclyde Police.

The Administrative Officer then indicated that John Saunders was not in attendance.

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

The Sub-Committee then heard Superintendent Dorrian outline the Chief Constable's objection to the application.

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

Representatives of the Police were then re-admitted to the meeting.

Decided: that the application by John Saunders for a Private Hire Car Driver's Licence be refused.

(c) SUNIL RAM, 1 WOODHEAD TERRACE, MUIRHEAD

4. The Chief Solicitor advised (1) that an application (tabled) by Sunil Ram, 1 Woodhead Terrace, Muirhead for a Private Hire Car Driver's 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 Dorrian outline the Chief Constable's objection to the application and Sunil Ram 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 Sunil Ram for a Private Hire Car Driver's Licence be refused.

(2) PRIVATE HIRE CAR LICENCE - TWO NEW APPLICATIONS - IAN SAMUEL WALLACE, 40 ALBANY AVENUE, SPRINGBOIG, GLASGOW

5. The Chief Solicitor advised that two applications (tabled) by Ian Samuel Wallace, 40 Albany Avenue, Springboig, Glasgow for Private Hire Car Licences had been received.

The Sub-Committee then heard the applicant and Superintendent Dorrian 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 two applications by Ian Samuel Wallace for Private Hire Car Licences be granted

(3) TAXI DRIVER'S LICENCE - NEW APPLICATION - STEPHEN CROSSAN, 38 HIGH COATS, COATBRIDGE

6. The Chief Solicitor advised (1) that an application (tabled) by Stephen Crossan, 38 High Coats, Coatbridge for a Taxi Driver's 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 Dorrian outline the Chief Constable's objection to the application and Stephen Crossan 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 Stephen Crossan for a Taxi Driver's Licence be granted.

(4) PUBLIC ENTERTAINMENT LICENCE - NEW APPLICATION - KAREN JOHNSTON, 20 HOME FARM COURT, DRUMPELLIER FARM, COATBRIDGE

7. The Chief Solicitor (Licensing) advised that this item of business has been withdrawn from the agenda.

Decided: that it be noted that the application by Karen Johnston for a Public Entertainment Licence had been withdrawn.

(5) SUSPENSION HEARING - WINDOW CLEANER'S LICENCE - STUART PHILLIPS, 29 WESTERGREENS AVENUE, KIRKINTILLOCH - BREACH OF LICENCE CONDITION

8. The Chief Solicitor (Licensing) advised that Stuart Phillips, 29 Westergreens Avenue, Kirkintilloch, who currently held a Window Cleaner's Licence, had allegedly breached a condition of his Licence by not submitting to the Council a copy of his Public Liability Insurance.

The Administrative Officer then indicated that Stuart Phillips was not in attendance.

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

Decided: that the Window Cleaner's Licence currently held by Stuart Phillips be suspended for the unexpired duration of the Licence.

Motherwell, 5 December 2007 at 9.30 am.

A Meeting of the CORPORATE SERVICES (LICENSING) SUB-COMMITTEE

PRESENT

Councillor Hogg, Convener; Councillor McAuley, Vice-Convener; Councillors Harmon, Homer, S. Love, McElroy, McShannon and Wallace.

CHAIR

In the absence of Councillor Hogg (Convener), Councillor McAuley presided during consideration of items 1 and 2: thereafter, Councillor Hogg (Convener) presided.

IN ATTENDANCE

The Administrative Officer (Committee and Civic Governance Services); Chief Solicitor (Licensing), and Licensing Solicitor.

ALSO IN ATTENDANCE

Superintendent Dorrian and Sergeant Harkin, "N" Division, Strathclyde Police.

APOLOGY

Councillor Cefferty.

DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000

1. No declarations were made.

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 Chair exercised her discretion to vary the order of business as hereinafter minuted.

HEARINGS

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

(a) STEVEN ELLIOT, 29 McKENZIE TERRACE, BELLSHILL

2. The Chief Solicitor advised (1) that an application (tabled) by Steven Elliot, 29 McKenzie Terrace, Bellshill 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 Superintendent Dorrian explain the reason for the Chief Constable's objection being submitted late.

The Sub-Committee then heard Superintendent Dorrian outline the Chief Constable's objection (tabled) to the application and Steven Elliot 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 Steven Elliot for a Private Hire Car Driver's Licence be refused.

Councillor Hogg entered the meeting and assumed the Chair.

(b) WILSON GEDDES, 101A WILSON STREET, AIRDRIE

3. The Chief Solicitor advised that an application (tabled) by Wilson Geddes, 101A Wilson Street, Airdrie for a Private Hire Car Driver's Licence had been received.

The Sub-Committee then heard the applicant and Superintendent Dorrian 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 Wilson Geddes for a Private Hire Car Driver's Licence be granted.

(c) PAUL WALKER, 10C GLENTORE QUADRANT, AIRDRIE

4. The Chief Solicitor advised (1) that an application (tabled) by Paul Walker, 10C Glentore Quadrant, Airdrie for a Private Hire Car Driver's 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 Dorrian outline the Chief Constable's objection to the application and Paul Walker 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 Paul Walker for a Private Hire Car Driver's Licence be refused.

(2) PRIVATE HIRE CAR LICENCE - NEW APPLICATION - GERARDE DOLAN, 77 HEATHERBANK WALK, AIRDRIE

5. The Chief Solicitor advised (1) that an application (tabled) by Gerarde Dolan, 77 Heatherbank Walk, Airdrie for a Private Hire Car 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 Superintendent Dorrian explain the reason for the Chief Constable's objection being submitted late.

The Sub-Committee then heard Superintendent Dorrian outline the Chief Constable's objection (tabled), to the application and Gerarde Dolan 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 Gerarde Dolan for a Private Hire Car Licence be granted.

(3) PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATION - THOMAS CRAWLEY, 42 BURNS COURT, KIRKINTILLOCH

6. The Chief Solicitor advised (1) that an application (tabled) by Thomas Crawley, 42 Burns Court, Kirkintilloch 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 Administrative Officer then indicated that Thomas Crawley was not in attendance

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

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

The Sub-Committee then heard Superintendent Dorrian outline the Chief Constable's objection (tabled) to the application.

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

Representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Thomas Crawley for a Private Hire Car Driver's Licence be refused.

(4) TAXI DRIVER'S LICENCE - NEW APPLICATION - STEPHEN CONNOR, 10 HILLSIDE PLACE, NEWARTHILL

7. The Chief Solicitor advised that an application by Stephen Connor, 10 Hillside Place, Newarthill for a Taxi Driver's Licence had been received, and (2) of the background relative thereto.

The Administrative Officer then indicated that Stephen Connor was not in attendance.

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

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