

Motherwell, 9 January 2008 at 9.30 am.

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

PRESENT

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

CHAIR

Councillor Hogg (Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

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

APOLOGIES

Councillor Cefferty, Ferrie and S. Love.

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.

SUSPENSION HEARINGS

(1) TAXI DRIVER'S LICENCE - COMPLAINTS

(a) JAMES DICKSON, 198 NORTH DRYBURGH ROAD, WISHAW

2. 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 Officer relative to the behaviour of James Dickson, 198 North Dryburgh Road, Wishaw who currently held a Taxi Driver's Licence.

The Sub-Committee then heard John Taylor, Licensing Enforcement Officer, outline the complaint and James Dickson, speak in respect of the complaint.

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

John Taylor, James Dickson and representatives of the Police were then re-admitted to the meeting.

The Sub-Committee, having determined that the complaint be upheld, heard James Dickson in mitigation.

Thereafter, John Taylor, James Dickson and representatives of the Police again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

John Taylor, James Dickson and representatives of the Police were again re-admitted to the meeting.

Decided: that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, the Taxi Driver's Licence currently held by James Dickson be suspended for 14 days effective from 7 February 2008.

(b) STEPHEN LAFFERTY, 1 DARRAGH GREEN, NEWMAINS

3. 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 Officer relative to the behaviour of Stephen Lafferty, 1 Darragh Green, Newmains who currently held a Taxi Driver's Licence.

The Sub-Committee then heard John Taylor, Licensing Enforcement Officer, outline the complaint and Stephen Lafferty, speak in respect of the complaint.

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

John Taylor, James Dickson and representatives of the Police were then re-admitted to the meeting.

The Sub-Committee, having determined that the complaint be upheld, heard Stephen Lafferty in mitigation.

Thereafter, John Taylor, Stephen Lafferty and representatives of the Police again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

John Taylor, Stephen Lafferty and representatives of the Police were again re-admitted to the meeting.

Decided: that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, the Taxi Driver's Licence currently held by Steven Lafferty be suspended for 14 days effective from 7 February 2008.

(c) DAVID McCOURT, 9 STRIVEN CRESCENT, PATHER, WISHAW

4. 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 Officer relative to the behaviour of David McCourt, 9 Striven Crescent, Pather, Wishaw who currently held a Taxi Driver's Licence.

The Sub-Committee then heard John Taylor, Licensing Enforcement Officer, outline the complaint and David McCourt, speak in respect of the complaint and table a character reference from Neil Broadhurst, Financial Adviser, CIS Co-operative Insurance.

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

John Taylor, David McCourt and representatives of the Police were then re-admitted to the meeting.

The Sub-Committee, having determined that the complaint be upheld, heard David McCourt in mitigation.

Thereafter, John Taylor, David McCourt and representatives of the Police again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

John Taylor, David McCourt and representatives of the Police were again re-admitted to the meeting.

Decided: that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, the Taxi Driver's Licence currently held by David McCourt be suspended for 14 days effective from 7 February 2008.

(d) WILLIAM MCWHINNIE, 33 ARDGOUR PARADE, CARFIN, MOTHERWELL

5. 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 Officer relative to the behaviour of William McWhinnie, 33 Ardgour Parade, Carfin, Motherwell who currently held a Taxi Driver's Licence.

The Sub-Committee then heard John Taylor, Licensing Enforcement Officer, outline the complaint and William McWhinnie speak in respect of the complaint.

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

John Taylor, William McWhinnie and representatives of the Police were then re-admitted to the meeting.

The Sub-Committee, having determined that the complaint be upheld, heard William McWhinnie in mitigation.

Thereafter, John Taylor, William McWhinnie and representatives of the Police again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

John Taylor, William McWhinnie and representatives of the Police were again re-admitted to the meeting.

Decided: that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, the Taxi Driver's Licence currently held by William McWhinnie be suspended for 14 days effective from 7 February 2008.

(2) PRIVATE HIRE CAR DRIVER'S LICENCE - COMPLAINTS

(a) DAVID BROWN, 15 DIMSDALE CRESCENT, WISHAW

6. 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 Officer relative to the behaviour of David Brown, 15 Dimsdale Crescent, Wishaw who currently held a Private Hire Car Driver's Licence.

The Sub-Committee then heard John Taylor, Licensing Enforcement Officer, outline the complaint and David Brown, speak in respect of the complaint.

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

John Taylor, David Brown and representatives of the Police were then re-admitted to the meeting.

The Sub-Committee, having determined that the complaint be upheld, heard David Brown in mitigation.

Thereafter, John Taylor, David Brown and representatives of the Police again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

John Taylor, David Brown and representatives of the Police were again re-admitted to the meeting.

Decided: that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, the Private Hire Car Driver's Licence currently held by David Brown be suspended for 14 days effective from 7 February 2008.

(b) JAMES CORBETT, 3 CANELUK AVENUE, CARLUKE

7. 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 Officer relative to the behaviour of James Corbett, 3 Caneluk Avenue, Carluke who currently held a Private Hire Car Driver's Licence.

The Sub-Committee then heard John Taylor, Licensing Enforcement Officer, outline the complaint and James Corbett, speak in respect of the complaint.

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

John Taylor, James Corbett and representatives of the Police were then re-admitted to the meeting.

The Sub-Committee, having determined that the complaint be upheld, heard James Corbett in mitigation.

Thereafter, John Taylor, James Corbett and representatives of the Police again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

John Taylor, James Corbett and representatives of the Police were again re-admitted to the meeting.

Decided: that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, the Private Hire Car Driver's Licence currently held by James Corbett be suspended for 21 days effective from 7 February 2008.

HEARING

(3) TAXI DRIVER'S LICENCE - NEW APPLICATION - MICHAEL CASSIDY, 85 GLEN COURT, COATBRIDGE

8. The Chief Solicitor advised (1) that an application (tabled) by Michael Cassidy, 85 Glen Court, 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 Michael Cassidy speak in support of his application.

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

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

Decided: that the application by Michael Cassidy for a Taxi Driver's Licence be granted for a period of one year.

SUSPENSION HEARINGS

(4) TAXI DRIVER'S LICENCE - COMPLAINTS

(a) WILLIAM BECK, 177 LOMOND ROAD, COATBRIDGE

9. The Chief Solicitor advised that, in terms of paragraph 12 of Schedule 1 of the Civic Government (Scotland) Act 1982, a complaint (tabled) had been received from the Chief Constable, Strathclyde Police, relative to the behaviour of William Beck, 177 Lomond Road, Coatbridge who currently held a Taxi Driver's Licence.

The Sub-Committee heard Superintendent Dorrian outline the Chief Constable's complaint and William Beck speak in respect of the complaint.

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

William Beck and representatives of the Police were then re-admitted to the meeting.

The Sub-Committee, having determined that the complaint be upheld, heard William Beck in mitigation.

William Beck and representatives of the Police again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

William Beck and representatives of the Police were again re-admitted to the meeting.

Decided: that, in terms of paragraph 12 of Schedule 1 of the Civic Government (Scotland) Act 1982, the Taxi Driver's Licence currently held by William Beck be suspended.

(b) STEPHEN FINDLAY, 29 BARONS TOWER, MOTHERWELL

10. 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 Chief Constable, Strathclyde Police, relative to the behaviour of Stephen Findlay, 29 Barons Tower, Motherwell who currently held a Taxi Driver's Licence.

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

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

The Sub-Committee heard Superintendent Dorrian outline the Chief Constable's complaint

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.

The Sub-Committee determined that the complaint be upheld.

Decided: that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, the Taxi Driver's Licence currently held by Stephen Findlay be suspended for the unexpired duration effective from 7 February 2008.

Motherwell, 30 January 2008 at 9.30 am.

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

PRESENT

Councillors Clarke, Harmon, S. Love, McElroy, McShannon and Wallace.

CHAIR

In the absence of Councillor Hogg (Convener), Councillor McElroy 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 Ferrie, Hogg, Homer, Irvine, and McAuley

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.

SUSPENSION HEARINGS

(1) PRIVATE HIRE CAR DRIVER'S LICENCE - COMPLAINTS

(a) ELIZABETH FORREST, 21 BARTONHALL ROAD, WATERLOO, WISHAW

1. 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 Officer relative to the behaviour of Elizabeth Forrest, 21 Bartonhall Road, Waterloo, Wishaw who currently held a Private Hire Car Driver's Licence.

The Sub-Committee then heard John Taylor, Licensing Enforcement Officer, outline the complaint and Elizabeth Forrest speak in respect of the complaint and table a copy of hires despatched to her.

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

John Taylor, Elizabeth Forrest and representatives of the Police were then re-admitted to the meeting.

The Sub-Committee, having determined that the grounds of the complaint be upheld, heard Elizabeth Forrest in mitigation.

Thereafter, John Taylor, Elizabeth Forrest and representatives of the Police again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

John Taylor, Elizabeth Forrest and representatives of the Police were again re-admitted to the meeting.

Decided: that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, the Private Hire Car Driver's Licence currently held by Elizabeth Forrest be not suspended, on the understanding that the Head of Legal Services issue Elizabeth Forrest with a letter warning her as to her future conduct.

(b) ALAN HAMILTON, 43 BLUEBELL WYND, GOWKTHRAPPLE, WISHAW

2. 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 Officer relative to the behaviour of Alan Hamilton, 43 Bluebell Wynd, Gowkthrapple, Wishaw who currently held a Private Hire Car Driver's Licence.

The Sub-Committee then heard John Taylor, Licensing Enforcement Officer, outline the complaint and Alan Hamilton speak in respect of the complaint.

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

John Taylor, Alan Hamilton and representatives of the Police were then re-admitted to the meeting.

The Sub-Committee, having determined that the grounds of the complaints be upheld, heard Alan Hamilton in mitigation.

Thereafter, John Taylor, Alan Hamilton and representatives of the Police again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

John Taylor, Alan Hamilton and representatives of the Police were again re-admitted to the meeting.

Councillor Love, seconded by Councillor McShannon, moved that the Private Hire Car Driver's Licence currently held by Alan Hamilton be not suspended, on the understanding that the Head of Legal Services issue Alan Hamilton with a letter warning him as to his future conduct.

Councillor Harmon, seconded by Councillor McElroy, moved, as an amendment, that the Private Hire Car Driver's Licence currently held by Alan Hamilton be suspended for a period of 14 days.

On a vote being taken, 4 Members voted for the amendment and 2 Members voted for the motion. The amendment was accordingly declared carried.

Decided: that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, the Private Hire Car Driver's Licence currently held by Alan Hamilton be suspended for a period of 14 days effective from 27 February 2008.

(c) MICHAEL ROWAN, 18 NITH QUADRANT, NEWARTHILL

3. 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 Officer relative to the behaviour of Michael Rowan, 18 Nith Quadrant, Newarthill who currently held a Private Hire Car Driver's Licence.

The Sub-Committee then heard John Taylor, Licensing Enforcement Officer, outline the complaint and Michael Rowan speak in respect of the complaint.

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

John Taylor, Michael Rowan and representatives of the Police were then re-admitted to the meeting.

Councillor Love, seconded by Councillor McShannon, moved that the complaint relative to the behaviour of Michael Rowan be not upheld.

Councillor Wallace, seconded by Councillor Harmon, moved, as an amendment, that the complaint relative to the behaviour of Michael Rowan be upheld.

On a vote being taken 4 Members voted for the amendment and 2 Members voted for the motion. The amendment was accordingly declared carried.

The Sub-Committee then heard Michael Rowan in mitigation.

Thereafter, John Taylor, Michael Rowan and representatives of the Police again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

John Taylor, Michael Rowan and representatives of the Police were again re-admitted to the meeting.

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

(d) JOSEPH VICKERS, 3 AVON WYND, NEWMAINS

4. 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 Officer relative to the behaviour of Joseph Vickers, 3 Avon Wynd, Newmains who currently held a Private Hire Car Driver's Licence.

The Sub-Committee then heard John Taylor, Licensing Enforcement Officer, outline the complaint and Joseph Vickers speak in respect of the complaint.

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

John Taylor, Joseph Vickers and representatives of the Police were then re-admitted to the meeting.

The Sub-Committee, having determined that the grounds of the complaint be upheld, heard Joseph Vickers in mitigation.

Thereafter, John Taylor, Joseph Vickers and representatives of the Police again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

John Taylor, Joseph Vickers and representatives of the Police were again re-admitted to the meeting.

Decided: that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, the Private Hire Car Driver's Licence currently held by Joseph Vickers be not suspended, on the understanding that the Head of Legal Services issue Joseph Vickers with a letter warning her as to his future conduct.

(2) TAXI DRIVER'S LICENCE – COMPLAINT - KEVAN McKENDRICK, 73 McMAHON DRIVE, NEWMAINS

5. 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 Officer relative to the behaviour of Kevan McKendrick, 73 McMahan Drive, Newmains who currently held a Taxi Driver's Licence.

The Sub-Committee then heard John Taylor, Licensing Enforcement Officer, outline the complaint and Kevan McKendrick speak in respect of the complaint.

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

John Taylor, Kevan McKendrick and representatives of the Police 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 complaint relative to the behaviour of Kevan McKendrick be not upheld.

(3) WINDOW CLEANER'S LICENCE – BREACH OF LICENCE CONDITION - ALEXANDER MACLEAN, 25 ATLIN DRIVE, NEW STEVENSTON, MOTHERWELL

6. The Chief Solicitor advised that Alexander MacLean, 25 Atlin Drive, New Stevenston, Motherwell, 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 Alexander MacLean was not in attendance.

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

Decided: that the Window Cleaner's Licence currently held by Alexander MacLean be suspended for the unexpired duration of the Licence effective from 27 February 2008.

HEARINGS

(1) PRIVATE HIRE CAR DRIVER'S LICENCE - RENEWALS

(a) TIK PAU LEUNG, 83 GOULD STREET, AYR

7. The Chief Solicitor advised (1) that an application (tabled) by Tik Pau Leung, 83 Gould Street, Ayr for the renewal of his 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 Tik Pau Leung speak in support of his application and table a supplementary paper 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 Tik Pau Leung for the renewal of his Private Hire Car Driver's Licence be granted.

(b) STEPHEN O'NEILL, 12A DRUMMOND HOUSE, SEAFAR, CUMBERNAULD

8. The Chief Solicitor advised (1) that consideration of an application (tabled) by Stephen O'Neill, 12A Drummond House, Seafar, Cumbernauld for the renewal of his 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 Stephen O'Neill 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 O'Neill for the renewal of his Private Hire Car Driver's Licence be granted.

(2) SKIN PIERCING/TATOOING LICENCE – NEW APPLICATION - GERALD O'DONNELL, 2 WELLESLEY PLACE, BLACKWOOD, CUMBERNAULD

9. The Chief Solicitor advised (1) that an application (tabled) by Gerald O'Donnell, 2 Wellesley Place, Blackwood, Cumbernauld for a Skin Piercing/Tattooing Licence in respect of the premises at Fallen Angel Tattoos, 84 Whifflet Street, Coatbridge had been received; (2) that the Executive Director of Environmental Services had submitted a late representation making recommendations in respect of the application, and (3) that an objection (tabled) to the application had been received from the Chief Constable, Strathclyde Police.

The Sub-Committee then heard Ms Morrison, Senior Environmental Health Officer, outline the reasons for the Executive Director of Environmental Services being submitted late, and the applicant indicate he had no objection to the late representation being considered.

The Sub-Committee then heard (1) Ms Morrison outline the Executive Director of Environmental Services' representation and indicate if the Licence were to be granted it would be subject to the mandatory conditions in terms of the Civic Government (Scotland) Act 1982 (Licensing of Skin Piercing and Tattooing) Order 2006, and (2) Superintendent Dorrian outline the Chief Constable's objection to the application and Gerald O'Donnell speak in support of his application.

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

Gerald O'Donnell and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Gerald O'Donnell for a Skin Piercing/Tattooing Licence be granted, subject to mandatory conditions in terms of the Civic Government (Scotland) Act 1982 (Licensing of Skin Piercing and Tattooing) Order 2006.

Motherwell, 13 February 2008 at 9.30 am.

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

PRESENT

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

CHAIR

Councillor Hogg (Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

Chief Inspector Mulrooney and Sergeant Harkin, "N" Division, Strathclyde Police.

APOLOGIES

Councillors Ferrie and McShannon.

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

HEARING

PUBLIC ENTERTAINMENT LICENCE - NEW APPLICATION - AMIN HUSSAIN, 55 DRUMRY ROAD, CLYDEBANK, T/A WESTFIELD ADVENTURES LIMITED

2. The Chief Solicitor advised (1) that an application (tabled) by Amin Hussain, 55 Drumry Road, Clydebank, t/a Westfield Adventures Limited for a Public Entertainment Licence in respect of the premises at Westfield Adventures Limited, Adventure Planet, 2 Old Quarry Road, Westfield Industrial

Estate, Cumbernauld had been received, and (2) that late objections to the application had been received from (a) the Executive Director of Environmental Services in respect of Building Standards and Roads and Transportation issues, and (b) the Firemaster, Strathclyde Fire and Rescue.

The Sub-Committee then heard (1) Mr. Campbell, Building Standards and Mr. Grieve, Roads and Transportation explain the reasons for the Executive Director's objections being submitted late; (2) Mr. Nelson, Strathclyde Fire and Rescue, explain the reasons for the Firemaster's objection being submitted late, and (3) the applicant's agent, Mr. Farleigh, Chartered Surveyor, object to the late objections from the Executive Director of Environmental Services in respect of Building Standards and the Firemaster being considered.

The Sub-Committee then determined that the late objections be considered.

The Sub-Committee then heard Mr. Campbell, Mr. Gibb and Mr. Grieve outline the Executive Director's objections (tabled) to the application; (2) Mr. Nelson outline the Firemaster's objection (tabled) to the application, and (3) Councillor O'Brien, local Member and Mr. Farleigh, Chartered Surveyors speak in support of the application.

Thereafter, the applicant, Mr. Farleigh, Councillor O'Brien, Mr. Campbell, Mr. Gibb, Mr. Grieve, Mr. Nelson and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant, Mr. Farleigh, Councillor O'Brien, Mr. Campbell, Mr. Gibb, Mr. Grieve, Mr. Nelson and representatives of the Police were then re-admitted to the meeting.

Decided: that consideration of the application by Amin Hussain for a Public Entertainment Licence be continued.

SUSPENSION HEARING

SECOND HAND DEALER'S LICENCE - COMPLAINT - EHSAN UL HAQ, 73 ASHMORE ROAD, GLASGOW

3. 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 Chief Constable, Strathclyde Police relative to the behaviour of Ehsan Ul Haq, 73 Ashmore Road, Glasgow who currently held a Second Hand Dealer's Licence.

The Sub-Committee then heard Chief Inspector Mulrooney outline the Chief Constable's complaint and Ehsan Ul Haq speak in respect of the complaint and table supplementary documentation.

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

Ehsan Ul Haq and representatives of the Police were then re-admitted to the meeting.

The Sub-Committee, having determined that the grounds of the complaint be upheld, heard Ehsan Ul Haq in mitigation.

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

Ehsan Ul Haq and representatives of the Police were again re-admitted to the meeting.

Councillor Wallace, seconded by Councillor Harmon, moved that the Second Hand Dealer's Licence currently held by Ehsan Ul Haq be not suspended, on the understanding that the Head of Legal Services issue Ehsan Ul Haq with a letter warning him as to his future conduct.

Councillor McAuley, seconded by Councillor McElroy, moved, as an amendment, that the Second Hand Dealer's Licence currently held by Ehsan UI Haq be suspended for a period of three months.

On a vote being taken 3 Members voted for the amendment and 5 Members voted for the motion, which was accordingly declared carried.

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 Ehsan UI Haq be not suspended, on the understanding that the Head of Legal Services issue Ehsan UI Haq with a letter warning him as to his future conduct.

HEARING

PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATION - STEVEN DOUGAN, 160 LABURNUM ROAD, UDDINGSTON

4. The Chief Solicitor advised (1) that an application (tabled) by Steven Dougan, 160 Laburnum Road, Uddingston, for a Private Hire Car Driver's Licence had been received, and (2) of the background relative thereto.

The Sub-Committee then heard the applicant and Chief Inspector Mulrooney 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 Steven Dougan for a Private Hire Car Driver's Licence be granted.

SUSPENSION HEARING

PRIVATE HIRE CAR DRIVER'S LICENCE - COMPLAINT - ALEXANDER DUNN, 46 HOWES WAY, CARSTAIRS JUNCTION

5. 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 by the Council's Licensing Enforcement Officer from Mr. Gaffney and Mr. Kelly, North Lanarkshire Taxi Drivers, relative to the behaviour of Alexander Dunn, 46 Howes Way, Carstairs Junction who currently held a Private Hire Car Driver's Licence.

The Sub-Committee then heard Mr. Somerville, Licensing Enforcement Officer, Mr. Gaffney and Mr. Kelly outline the complaint and Alexander Dunn's agent Mr. Scullion, Nicholas Scullion, Solicitors and Margaret McCallum speak in respect of the complaint.

Thereafter, Alexander Dunn, Mr. Scullion, Margaret McCallum, Mr. Somerville, Mr. Gaffney, Mr. Kelly and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Alexander Dunn, Mr. Scullion, Margaret McCallum, Mr. Somerville, Mr. Gaffney, Mr. Kelly and representatives of the Police 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 complaint relative to the behaviour of Alexander Dunn be not upheld.

HEARING

PRIVATE HIRE CAR LICENCE AND PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATIONS - AMJAD FAROOQ, 15 SILVERFIRS, NEWARTHILL, MOTHERWELL

6. The Chief Solicitor advised that an application (tabled) by Amjad Farooq, 15 Silverfirs, Newarthill, Motherwell for a Private Hire Car Licence and a Private Hire Car Driver's Licence had been received.

The Sub-Committee then heard the applicant and Chief Inspector Mulrooney 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 Amjad Farooq for a Private Hire Car Licence and a Private Hire Car Driver's Licence be granted.

SUSPENSION HEARING

TAXI DRIVER'S LICENCE - COMPLAINT - WILLIAM BECK, 177 LOMOND ROAD, COATBRIDGE

7. With reference to paragraph 9 of the Minute of the meeting of this Sub-Committee held on 9 January 2008, 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 Chief Constable, Strathclyde Police relative to the behaviour of William Beck, 177 Lomond Road, Coatbridge who currently held a Taxi Driver's Licence.

The Administrative Officer then indicated that William Beck was not in attendance.

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

The Sub-Committee then heard Chief Inspector Mulrooney outline the Chief Constable's complaint.

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, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, the complaint by the Chief Constable relative to the behaviour of William Beck be upheld and the Taxi Driver's Licence be suspended for the unexpired duration with immediate effect.

HEARING

TAXI DRIVER'S LICENCE - NEW APPLICATION - STUART McNEIL, 212 GREENGAIRS ROAD, GREENGAIRS

8. The Chief Solicitor advised (1) that an application by Stuart McNeil, 212 Greengairs Road, Greengairs for a Taxi Driver's Licence had been received, and (2) of the background relative thereto.

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

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

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

Motherwell, 18 February 2008 at 10.45 am.

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

PRESENT

Councillor Hogg, Convener; Councillor McAuley, Vice-Convener; Councillor McElroy.

CHAIR

Councillor Hogg (Convener) presided.

IN ATTENDANCE

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

APOLOGIES

Councillors Clarke, Ferrie, Harmon, Irvine and S. Love.

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

1. No declarations were made.

HEARINGS

(1) STREET TRADER'S LICENCE – NEW APPLICATION - STACY HUNTER, 70 SUNNYSIDE CRESCENT, HOLYTOWN

2. The Chief Solicitor advised (1) that an application (tabled) by Stacy Hunter, 70 Sunnyside Crescent, Holytown for a Street Trader's Licence to enable her to trade from a static snack van at Biggar Road Industrial Estate, Cleland had been received, and (2) that an objection (tabled) to the application had been received from Mr. Smith, local resident.

The Sub-Committee then heard Mr. Smith outline his objection to the application and Stacy Hunter speak in support of the application.

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

The applicant and Mr. Smith were then re-admitted to the meeting.

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

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.

**(2) SECOND HAND DEALER'S LICENCE – NEW APPLICATION - TERRY McCALLUM,
HOLYDENE, 25 WHINHALL ROAD, AIRDRIE**

3. The Chief Solicitor advised (1) that an application (tabled) by Terry McCallum, Holydene, 25 Whinhall Road, Airdrie for a Second Hand Dealer's Licence to enable him to trade in second hand car sales at 1B Coatbank Way, Coatbridge had been received, and (2) that a late objection to the application had been received from the Executive Director of Environmental Services.

The Sub-Committee then heard Mr. Anderson, Roads and Transport explain the reasons for the Executive Director's objection to the application being submitted late and Mr. McCallum indicate he objected to the Executive Director's objection being considered.

The Sub-Committee then determined that the late objection by the Executive Director of Environmental Services be considered.

The Sub-Committee then heard Mr. Anderson outline the Executive Director's objection to the application and the applicant and Mr. McCallum Senior speak in support of the application and table photographs.

Thereafter, the applicant, Mr. McCallum Senior and Mr. Anderson withdrew from the meeting and the Sub-Committee resumed consideration of the application.

The applicant, Mr. McCallum Senior and Mr. Anderson were then re-admitted to the meeting.

Decided: that the application by Terry McCallum for a Second Hand Dealer's Licence be granted, subject to conditions to be set out by the Head of Legal Services.