

CORPORATE SERVICES (LICENSING) SUB – 20 May 2009

Motherwell, 20 May 2009 at 9.30 am.

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

PRESENT

Councillor Hogg, Convener; Councillor McAuley, Vice-Convener; Councillors Ferrie, Homer and S. Love.

CHAIR

Councillor Hogg (Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

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

APOLOGIES

Councillors Harmon and Irvine.

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.

HEARINGS

(1) PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATION - PAUL MACALONEY

2. The Chief Solicitor advised (1) that an application (tabled) by Paul MacAloney 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 Sergeant Harkin outline the Chief Constable's objection to the application and Paul MacAloney 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.

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

(2) TAXI DRIVER'S LICENCE - RENEWAL - GERARD O'DONNELL

3. The Chief Solicitor advised (1) that an application by Gerard O'Donnell for the renewal of his Taxi Driver's Licence had been received, and (2) that the application had subsequently been granted under delegated powers.

Decided: that it be noted that the application by Gerard O'Donnell for the renewal of his Taxi Driver's Licence had been granted under delegated powers.

(3) STREET TRADER'S LICENCE - NEW APPLICATION - THOMAS O'DONNELL

4. The Chief Solicitor advised (1) that an application (tabled) by Thomas O'Donnell for a Street Trader's Licence to enable him to trade from a static ice cream van at Drumpellier Country Park, Coatbridge had been received, and (2) that an objection (tabled) to the application had been received from Mr. and Mrs. McIntyre.

The Administrative Officer then indicated that Mr. and Mrs. McIntyre were not in attendance.

Thereafter, the Sub-Committee resumed consideration of the application in the objectors' absence.

The Sub-Committee then heard the applicant's agent, Mr. Watt, Friels and Company, Solicitors and Mr. Brown, Property Services Division, Corporate Services, speak in support of the application.

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

The applicant, Mr. Watt, Mr. Brown and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Thomas O'Donnell for a Street Trader's Licence be granted.

(4) PRIVATE HIRE CAR DRIVER'S LICENCE AND PRIVATE HIRE CAR LICENCE - NEW APPLICATIONS - NICKY MCKAY

5. With reference to paragraph 9 of the Minute of the meeting of this Sub-Committee held on 25 March 2009, the Chief Solicitor advised (1) that consideration of applications (tabled) by Nicky McKay for a Private Hire Car Driver's Licence and Private Hire Car Licence had been continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his applications, and (2) that an objection (tabled) to the applications had been received from the Chief Constable, Strathclyde Police.

The Administrative Services Officer then indicated that Nicky McKay was not in attendance.

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

The Sub-Committee then heard Chief Inspector McPhail 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 applications by Nicky McKay for a Private Hire Car Driver's Licence and Private Hire Car Licence be refused.

(5) TAXI DRIVER'S LICENCE - RENEWAL - GEORGE CUMMING

6. With reference to paragraph 10 of the Minute of the meeting of this Sub-Committee held on 25 March 2009, the Chief Solicitor advised (1) that consideration of an application (tabled) by George Cumming for the renewal of his Taxi 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 an objection (tabled) to the application had been received from the Chief Constable, Strathclyde Police.

The Administrative Officer then indicated that George Cumming was not in attendance.

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

The Sub-Committee then heard Chief Inspector McPhail 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 George Cumming for the renewal of his Taxi Driver's Licence be refused.

(6) WINDOW CLEANER'S LICENCE - NEW APPLICATION - ALISTAIR SNEDDON

7. The Chief Solicitor advised (1) that an application by Alistair Sneddon for a Window Cleaner'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 Alistair Sneddon was not in attendance.

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

The Sub-Committee then heard Chief Inspector McPhail 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 Alistair Sneddon for a Window Cleaner's Licence be refused.

Motherwell, 10 June 2009 at 9.30 am.

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

PRESENT

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

CHAIR

Councillor Hogg (Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

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

APOLOGIES

Councillors Harmon, McAuley 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.

HEARINGS

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

(a) ALAN KYLE

2. The Chief Solicitor advised that an application (tabled) by Alan Kyle for a Private Hire Car Driver's Licence had been received.

The Sub-Committee then heard the applicant and Superintendent Robertson 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 Alan Kyle for a Private Hire Car Driver's Licence be granted.

(b) FRASER NAPIER

3. The Chief Solicitor advised that an application (tabled) by Fraser Napier for a Private Hire Car Driver's Licence had been received.

The Sub-Committee then heard the applicant and Superintendent Robertson 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 Fraser Napier for a Private Hire Car Driver's Licence be granted.

(2) TAXI DRIVER'S LICENCE - NEW APPLICATION - MARTIN HAMOND

4. The Chief Solicitor advised that an application (tabled) by Martin Hamond for a Taxi Driver's Licence had been received.

The Sub-Committee then heard the applicant and Superintendent Robertson 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 Martin Hamond for a Taxi Driver's Licence be granted.

(3) TAXI LICENCE - ADVERTISEMENT - TOWN TAXIS

5. The Chief Solicitor advised (1) that an application (tabled) by Town Taxis for an advertisement on the licensed taxis within its company had been received; (2) of the background relative thereto, and (3) that a representative from Town Taxis had indicated that the company was unable to be represented at the meeting, and requested that the Sub-Committee give consideration to the application in its absence.

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

Decided: that the application by Town Taxis for an advertisement on its licensed taxis be granted.

The Convener being the mover of a motion which failed to attract a seconder, requested that his dissent be recorded.

(4) WINDOW CLEANER'S LICENCE - NEW APPLICATIONS

(a) DOUGLAS COUSE

6. The Chief Solicitor (Licensing) advised (1) that an application (tabled) by Douglas Couse for a Window Cleaner'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 Robertson outline the Chief Constable's objection to the application and Douglas Couse 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 Douglas Couse for a Window Cleaner's Licence be granted for a period of one year.

(b) WILLIAM MARSHALL

7. The Chief Solicitor (Licensing) advised (1) that an application (tabled) by William Marshall for a Window Cleaner's Licence had been received, and (2) that an objection to the application had been received from the Chief Constable, Strathclyde Police.

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

Councillor Hogg, seconded by Councillor Ferrie, moved that the application by William Marshall for a Window Cleaner's Licence be refused.

Councillor Love, seconded by Councillor McElroy, moved, as an amendment, that the application by William Marshall for a Window Cleaner's Licence be granted for a period of one year.

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 the application by William Marshall for a Window Cleaner's Licence be granted for a period of one year.

Motherwell, 7 July 2009 at 9.30 am.

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

PRESENT

Councillor Hogg, Convener; Councillors Clarke, Ferrie, Harmon and McElroy.

CHAIR

Councillor Hogg (Convener) presided.

IN ATTENDANCE

The Chief Committee Services Manager, Team Leader, Design Services Division, Corporate Services, and Building Control Surveyor, Environmental Services.

ALSO IN ATTENDANCE

E. Mullen, Group Commander, Strathclyde Fire and Rescue, W. Quinn, Scottish Ambulance Service and Inspector Brian Hughes, Strathclyde Police.

In respect of item 2 – Lee-Ann Dempster, General Manager and Lee-Ann Montgomery, Safety Officer, Motherwell Football Club.

In respect of Item 3 – Frank Meade, Chairman, Albion Rovers Football Club.

APOLOGIES

Councillors Homer, Irvine, S. Love McAuley and Wallace.

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

1. No declarations were made.

SAFETY OF SPORTS GROUNDS - CERTIFICATION ARRANGEMENTS

(1) FIR PARK STADIUM, MOTHERWELL

2. The Sub-Committee visited and inspected Fir Park Stadium, Motherwell and thereafter considered a report dated 29 June 2009 by the Head of Central Services (1) reminding Members of the previously agreed arrangements for the certification of designated grounds and grounds with regulated stands under the terms of the Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sports Act 1987, and (2) advising of outstanding issues in relation to the renewal of the General Safety Certificate for Fir Park Stadium, Motherwell.

Consideration was also given to a tabled report dated 12 June 2009 by Motherwell Football Club together with oral reports from representatives of the various Services which have been involved in the inspection process and from Motherwell Football and Athletic Club General Manager.

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Decided: that the General Safety Certificate for Fir Park Stadium, Motherwell be renewed subject to the outstanding works being completed by 24 August 2009.

(2) CLIFTONHILL STADIUM, COATBRIDGE

3. The Sub-Committee visited and inspected Albion Rovers Football Club, Cliftonhill Stadium, Coatbridge and thereafter considered a report dated 29 June 2009 by the Head of Central Services (1) reminding Members of the previously agreed arrangements for the certification of designated grounds and grounds with regulated stands under the terms of the Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sports Act 1987, and (2) advising of outstanding issues in relation to the renewal of the General Safety Certificate for Cliftonhill Stadium, Coatbridge.

Consideration was also given to an oral report from representatives of the various Services which have been involved in the inspection process and the Albion Rovers Football Club Chairman.

Decided: that the General Safety Certificate for Cliftonhill Stadium, Coatbridge be renewed subject to the outstanding works being completed by 24 August 2009, together with confirmation that the stadium is fit for purpose.

Motherwell, 14 July 2009 at 9.30 am.

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

PRESENT

Councillor Hogg, Convener; Councillors Clarke, Ferrie, McElroy and Wallace.

CHAIR

Councillor Hogg (Convener) presided.

IN ATTENDANCE

The Chief Committee Services Manager and Team Leader, Design Services, Corporate Services and Building Standards Manager, Environmental Services.

ALSO IN ATTENDANCE

E. Mullen, Strathclyde Fire and Rescue; K. Harley, Scottish Ambulance Service.

In respect of item 2 - Raymond McGuinniety, Duty Officer, Broadwood Stadium.

In respect of item 3 - Alistair Cameron, Excelsior Stadium.

APOLOGIES

Councillors Harmon and S. Love and Inspector Brian Hughes, Strathclyde Police.

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

1. Councillor Wallace declared an interest in paragraph 2 below as a Member of the Board of Broadwood Stadium Limited.

SAFETY OF SPORTS GROUNDS - CERTIFICATION ARRANGEMENTS

Councillor Wallace declared an interest in the following item of business as being a member of the Board of Broadwood Stadium Limited and took no part in the discussion.

(1) BROADWOOD STADIUM, CUMBERNAULD

2. The Sub-Committee visited and inspected Broadwood Stadium, Cumbernauld and thereafter considered a report dated 6 July 2009 by the Head of Central Services (1) reminding Members of the previously agreed arrangements for the certification of designated grounds and grounds with regulated stands under the terms of the Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sports Act 1987, and (2) advising of outstanding issues in relation to the renewal of the General Safety Certificate for Broadwood Stadium, Cumbernauld.

Consideration was also given to a tabled report by Broadwood Stadium together with oral reports from the various Services which have been involved in the inspection process and from the Duty Officer of Broadwood Stadium.

SPECIAL CORPORATE SERVICES (LICENSING) SUB – 14 July 2009

Decided: that the General Safety Certificate for Broadwood Stadium, Cumbernauld be renewed subject to the outstanding works being completed by 26 August 2009.

(2) EXCELSIOR STADIUM, AIRDRIE

3. The Sub-Committee visited and inspected Excelsior Stadium, Airdrie and thereafter considered a report dated 6 July 2009 by the Head of Central Services (1) reminding Members of the previously agreed arrangements for the certification of designated grounds and grounds with regulated stands under the terms of the Safety of Sports Grounds Act 1975 and the Fire Safety and Safety of Places of Sports Act 1987, and (2) advising of outstanding issues in relation to the renewal of the General Safety Certificate for Excelsior Stadium, Airdrie.

Consideration was also given to oral reports from representatives of the various Services which have been involved in the inspection process for Excelsior Stadium.

Decided: that the General Safety Certificate for Excelsior Stadium, Airdrie be renewed.

Motherwell, 15 July 2009 at 11 am.

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

PRESENT

Councillor Hogg, Convener; Councillor McAuley, Vice-Convener; Councillors Clarke, Ferrie, McElroy and Wallace.

CHAIR

Councillor Hogg (Convener) presided.

IN ATTENDANCE

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

APOLOGIES

Councillor Harmon, Homer 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

STREET TRADER'S LICENCE - NEW APPLICATIONS

(1) WILLIAM WHITE

2. The Chief Solicitor advised (1) that an application (tabled) by William White for a Street Trader's Licence to enable him to trade from a static snack van at the car park of Shoe Zone Limited, 789 Old Edinburgh Road, Bellshill had been received, and (2) that objections (tabled) to the application had been received from Darrows Estate; W. M. Cumming, Turner and Watt on behalf of Mr. Teevan, and the proprietor of Fresh Fillers.

The Administrative Officer then indicated that a representative of Fresh Fillers was not in attendance.

The Sub-Committee then heard (1) Pat Rooney outline Darrows Estate's objection to the application; (2) Neil Watt of W. M. Cumming, Turner and Watt outline Mr. Teevan's objection to the application, and (3) William White speak in support of his application.

Thereafter, the applicant, Pat Rooney and Neil Watt withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant, Pat Rooney and Neil Watt were then re-admitted to the meeting.

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

(2) WILLIAM COLQUHOUN

3. The Chief Solicitor advised (1) that an application (tabled) by William Colquhoun for a Street Trader's Licence to enable him to trade from a static snack van at Orchardton Road, Westfield Industrial Estate, Cumbernauld had been received, and (2) that objections (tabled) to the application had been received from Linda Bell and Joseph Farrell, local traders

The Administrative Officer then indicated that Linda Bell and Joseph Farrell were not in attendance.

Thereafter, the Sub-Committee resumed consideration of the application in the objectors' absence.

The Sub-Committee then heard William Colquhoun speak in support of his application.

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

The applicant was then re-admitted to the meeting.

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

Motherwell, 5 August 2009 at 9.30 am.

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

PRESENT

Councillor Hogg, Convener; Councillors Ferrie, Irvine and McElroy.

CHAIR

Councillor Hogg (Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

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

APOLOGIES

Councillors Cefferty, Clarke, Harmon, S. Love 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.

HEARINGS

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

(a) ROBERT DAVID CALLAN

2. The Chief Solicitor advised (1) that an application (tabled) by Robert David Callan 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 Chief Inspector McKenzie outline the Chief Constable's objection to the application and Robert David Callan 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 Robert David Callan for a Private Hire Car Driver's Licence be granted for a period of one year.

(b) DAVID STEVENSON

3. The Chief Solicitor (Licensing) advised that an application (tabled) by David Stevenson for a Private Hire Car Driver's Licence had been received.

The Sub-Committee then heard (1) the applicant speak in support of his application and table a character reference from Chatty's Ace Cabs, and (2) Chief Inspector McKenzie 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 David Stevenson for a Private Hire Car Driver's Licence be granted for a period of one year.

(2) WINDOW CLEANER'S LICENCE - NEW APPLICATION - JOHN GERARD HENDRY

4. The Chief Solicitor advised (1) that an application (tabled) by John Gerard Hendry for a Window Cleaner's Licence had been received; (2) that an objection to the application had been received from the Chief Constable, Strathclyde Police, and (3) that John Gerard Hendry had indicated he was unable to be in attendance due to a holiday commitment, but had requested that the Sub-Committee consider the application in his absence.

The Sub-Committee then heard Chief Inspector McKenzie 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 Gerard Hendry for a Window Cleaner's Licence be refused.

SUSPENSION HEARING

SECOND HAND DEALER'S LICENCE - COMPLAINT - THOMAS DUNNE

5. The Chief Solicitor (Licensing) advised that a complaint had been received from the Executive Director of Environmental Services relative to the behaviour of Thomas Dunne, who currently held a Second Hand Dealer's Licence, and referring to the receipt of three complaints from members of the public following their purchase of a second hand vehicle.

The Administrative Officer then indicated that Thomas Dunne was not in attendance.

The Sub-Committee resumed consideration of the complaint in Thomas Dunne's absence.

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The Sub-Committee then heard Mr. Bannister, Trading Standards Officer outline the Executive Director of Environmental Services' complaint.

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

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

The Sub-Committee determined that the complaint be upheld.

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

Mr. Bannister and representatives of the Police were again re-admitted to the meeting.

Decided: that the Second Hand Dealer's Licence, currently held by Thomas Dunne, be suspended for the unexpired duration of the Licence.
