

**CORPORATE SERVICES (LICENSING) SUB – 28 January 2015**

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**Motherwell, 28 January 2015 at 10 am.**

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

**PRESENT**

Councillor W. Hogg, Convener; Councillors Clinch, Farooq, Love, McKendrick, McVey, Majid, Nolan and Sullivan.

**CHAIR**

Councillor W. Hogg (Convener) presided.

**IN ATTENDANCE**

The Administrative Officer (Committee and Civic Governance Services) and Acting Managing Solicitor (Licensing and Litigation).

**ALSO IN ATTENDANCE**

Inspector Thomson and John Waddell, Lanarkshire Division, Police Scotland.

**APOLOGIES**

Councillors Irvine and P. O'Rourke.

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

1. Councillor Majid declared an interest in paragraph 9 below as Gerard Summers was known to him, withdrew from the meeting and took no part in the consideration thereof.

**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**

**The Convener exercised his discretion to vary the Order of Business as hereinafter Minuted.**

**(1) STREET TRADER'S LICENCE – NEW APPLICATION - ANDREW DEMPSIE**

2. The Acting Managing Solicitor advised (1) that an application (tabled) by Andrew Dempsie for a Street Trader's Licence to enable him to trade from a static snack van at Bryansmuir Road, Eurocentral, Motherwell had been received; (2) that an objection (tabled) to the application had been received from the Chief Constable, Police Scotland, and (3) that a late objection to the application had been received from the Executive Director of Regeneration and Environmental Services.

The Sub-Committee then heard the Head of Roads and Transportation outline the reasons for the Executive Director of Regeneration and Environmental Services' objection being submitted late and Andrew Dempsie indicate that he had no objection to the late objection being considered.

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The Sub-Committee then heard (1) the Head of Roads and Transportation outline the Executive Director of Regeneration and Environmental Services' objection (tabled) to the application; (2) Inspector Thomson outline the Chief Constable's objection to the application, and (3) Andrew Dempsie speak in support of the application.

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

The applicant, the Head of Roads and Transportation and the representatives of the Police were then re-admitted to the meeting.

**Decided:** that the application by Andrew Dempsie for a Street Trader's Licence be refused.

## **(2) PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATIONS**

### **(a) JOHN GERARD MURPHY**

3. The Acting Managing Solicitor advised (1) that an application (tabled) by John Gerard Murphy 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, Police Scotland.

The Sub-Committee then heard Inspector Thomson outline the Chief Constable's objection to the application and John Gerard Murphy speak in support of his application and table character references.

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

The applicant and the representatives of the Police were then re-admitted to the meeting.

Councillor McKendrick, seconded by Councillor McVey, moved that the application by John Gerard Murphy for a Private Hire Car Driver's Licence be refused.

Councillor Nolan, seconded by Councillor Love, moved, as an amendment, that the application by John Gerard Murphy be granted for a period of one year.

On a vote being taken 7 Members voted for the amendment and 2 Members voted for the motion. The amendment was accordingly declared carried.

**Decided:** that the application by John Gerard Murphy for a Private Hire Car Driver's Licence be granted for a period of one year

### **(b) FRANCIS MURRAY**

4. The Acting Managing Solicitor advised (1) that an application (tabled) by Francis Murray 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, Police Scotland.

The Sub-Committee then heard Inspector Thomson outline the Chief Constable's objection to the application and Francis Murray's agent, Kevin McCarron, Ness Gallagher Solicitors speak in support of the application.

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

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The applicant and the representatives of the Police were then re-admitted to the meeting.

Councillor Love, seconded by Councillor McKendrick, moved that the application by Francis Murray for a Private Hire Car Driver's Licence be granted for a period of one year.

Councillor McVey, seconded by Councillor Clinch, moved, as an amendment, that the application by Francis Murray for a Private Hire Car Driver's Licence be refused.

On a vote being taken, 2 Members voted for the amendment and 7 Members voted for the motion, which was accordingly declared carried.

**Decided:** that the application by Francis Murray for a Private Hire Car Driver's Licence be granted for a period of one year.

**(c) JOHN SHIELDS**

5. The Acting Managing Solicitor advised (1) that an application (tabled) by John Shields 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, Police Scotland.

The Sub-Committee then heard Inspector Thomson outline the Chief Constable's objection to the application and John Shields and John Clark, owner of Kilsyth Cars, speak in support of the application.

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

The applicant, John Clark and the representatives of the Police were then re-admitted to the meeting.

**Decided:** that the application by John Shields for a Private Hire Car Driver's Licence be granted for a period of one year.

**(3) PRIVATE HIRE CAR DRIVER'S LICENCE - RENEWAL - KENNETH LAFFERTY**

6. The Acting Managing Solicitor advised (1) that an application (tabled) by Kenneth Lafferty 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, Police Scotland.

The Sub-Committee then heard Inspector Thomson outline the Chief Constable's objection to the application and Kenneth Lafferty speak in support of his application.

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

The applicant and the representatives of the Police were then re-admitted to the meeting.

**Decided:** that the application by Kenneth Lafferty for the renewal of his Private Hire Car Driver's Licence be granted for a period of one year.

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**(4) TAXI DRIVER'S LICENCE - NEW APPLICATION - GORDON MURPHY**

7. The Acting Managing Solicitor advised (1) that an application (tabled) by Gordon Murphy 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, Police Scotland.

The Sub-Committee then heard Inspector Thomson outline the Chief Constable's objection to the application and Gordon Murphy speak in support of his application.

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

The applicant and the representatives of the Police were then re-admitted to the meeting.

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

**(5) TAXI DRIVER'S LICENCE – COMPLAINT - WILLIAM DUFFY**

8. The Acting Managing Solicitor advised that, in terms of paragraph 12 of Schedule 1 of the Civic Government (Scotland) Act 1982, a complaint had been received from the Chief Constable, Police Scotland relative to the behaviour of William Duffy who currently held a Taxi Driver's Licence.

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

The Sub-Committee resumed consideration of the complaint in William Duffy's absence.

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

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

The representatives of the Police were then 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 Duffy be suspended, with immediate effect, for the unexpired duration of the licence.

**Councillor Majid having declared an interest in the following item of business as Gerard Summers was known to him, withdrew from the meeting and took no part in the consideration thereof.**

**(6) TAXI DRIVER'S LICENCE - RENEWAL - JOHN CHARNLEY**

9. The Acting Managing Solicitor advised (1) that an application (tabled) by John Charnley for the renewal of his Taxi Driver's Licence had been received, and (2) that an objection (tabled) to the application had been received from the Chief Constable, Police Scotland.

The Sub-Committee then heard Inspector Thomson outline the Chief Constable's objection to the application and John Charnley and Gerard Summers speak in support of the application.

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

The applicant and the representatives of the Police were then re-admitted to the meeting.

**Decided:** that the application by John Charnley for the renewal of his Taxi Driver's Licence be granted for a period of one year.

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**Motherwell, 9 February 2015 at 10 am.**

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

**PRESENT**

Councillor W. Hogg, Convener; Councillors Love, McKendrick and Majid.

**CHAIR**

Councillor W. Hogg (Convener) presided.

**IN ATTENDANCE**

The Administrative Officer (Committee and Civic Governance Services) and Acting Managing Solicitor (Licensing and Litigation).

**ALSO IN ATTENDANCE**

Inspector Thomson, Lanarkshire Division, Police Scotland.

In respect of items 2a, 2b and 2c, Environmental Health Manager and Sergeant Conn, Police Scotland.

**APOLOGIES**

Councillors Farooq, Irvine and Noland.

**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) TAXI DRIVER'S LICENCE - COMPLAINT - WILLIAM DUFFY**

2. With reference to paragraph 8 of the Minute of the meeting of this Sub-Committee held on 28 January 2015, when it was agreed that the complaint by the Chief Constable, relative to the behaviour of William Duffy be upheld and that his Taxi Driver's Licence be suspended, with immediate effect, for a period not exceeding 6 weeks, the Acting Managing Solicitor advised that, in terms of paragraph 12(5) of Schedule 1 of the Civic Government (Scotland) Act 1982, further consideration required to be given to the matter.

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

Thereafter, the Sub-Committee resumed consideration of the matter.

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**Decided:** that, in terms of paragraph 12(5) of Schedule 1 of the Civic Government (Scotland) Act 1982, William Duffy's Taxi Driver's Licence be suspended, with immediate effect, for the unexpired duration of the Licence.

**(2) PRIVATE LANDLORD REGISTRATION - REPRESENTATION**

**(a) CRAIG CAMERON**

3. With reference to paragraph 8 of the Minute of the special meeting of this Sub-Committee held on 20 October 2014, the Acting Managing Solicitor advised, that in terms of Section 84 of Part 8 of the Anti Social Behaviour Etc. (Scotland) Act 2004, material had been brought to the attention of the Council, by the Chief Constable, Police Scotland, which fell within Sub-Section 85(2) of the aforementioned Act, relative to the behaviour of Craig Cameron, who was currently registered as a private landlord.

The Sub-Committee then heard Sergeant Conn outline the Chief Constable's representation (tabled) and the Environmental Health Manager and Craig Cameron speak in respect of the matter.

Thereafter, Craig Cameron, the Environmental Health Manager and the representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Craig Cameron, the Environmental Health Manager and the representatives of the Police were then re-admitted to the meeting.

**Decided:** that, in terms of Section 84 of Part 8 of the Anti Social Behaviour Etc. (Scotland) Act 2004, Craig Cameron be deregistered as a private landlord.

**(b) CATRINA DEANS**

4. With reference to paragraph 5 of the Minute of the special meeting of this Sub-Committee held on 20 October 2014, the Acting Managing Solicitor advised, that in terms of Section 84 of Part 8 of the Anti Social Behaviour Etc. (Scotland) Act 2004, material had been brought to the attention of the council by the Chief Constable, Police Scotland, which fell within Sub-Section 85(2) of the aforementioned Act, relative to the behaviour of Catrina Deans, who was currently registered as a private landlord.

The Sub-Committee then heard Sergeant Conn outline the Chief Constable's representation (tabled), the Environmental Health Manager speak in respect of the matter and Catrina Deans advise that she was no longer the owner of the premises for which she had previously been registered as the landlord.

Thereafter, Catrina Deans, the Environmental Health Manager and the representatives of the Police withdrew from the meeting to enable the Environmental Health Manager to confirm the ownership of the property, and enable the Sub-Committee to resume consideration of the matter.

Catrina Deans, the Environmental Health Manager and the representatives of the Police were then re-admitted to the meeting.

**Decided:** that, having established that Catrina Deans was not the owner of the property for which she had previously been registered, it be noted that the Executive Director of Regeneration and Environmental Services would formally remove Catrina Deans from the private landlord register.

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**(c) GIUSEPPE LOIA**

5. With reference to paragraph 2 of the Minute of the special meeting of this Sub-Committee held on 20 October 2014, the Acting Managing Solicitor advised that (1) in terms of Section 84 of Part 8 of the Anti Social Behaviour Etc. (Scotland) Act 2004, material had been brought to the attention of the Council by the Chief Constable, Police Scotland, which fell within Sub-Section 85(20) of the aforementioned Act, relative to the behaviour of Giuseppe Loia, who was currently registered as a private landlord, and (2) a letter had been received from Giuseppe Loia's agent, Trainor Alston, Solicitors, requesting that consideration of the matter be continued to allow Giuseppe Loia another opportunity to appear before the Sub-Committee to speak in respect of the matter.

**Decided:** that consideration of the matter be continued to allow Giuseppe Loia another opportunity to appear before the Sub-Committee to speak in respect of the matter.

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**Motherwell, 18 February 2015 at 9.30 am.**

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

**PRESENT**

Councillor W. Hogg, Convener; Councillors Irvine, McKendrick, McVey, Nolan and Sullivan.

**CHAIR**

Councillor W. Hogg (Convener) presided.

**IN ATTENDANCE**

The Administrative Officer (Committee and Civic Governance Services) and Acting Managing Solicitor (Licensing and Litigation).

**ALSO IN ATTENDANCE**

John Waddell, Lanarkshire Division, Police Scotland.

**APOLOGIES**

Councillors Farooq, Love and P. O'Rourke.

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

1. No declarations were made.

**HEARINGS**

**(1) LATE HOURS CATERING LICENCE**

**(a) NEW APPLICATIONS - CERTAS ENERGY UK LIMITED, TRYST HOUSE, GLENBERVIE BUSINESS PARK, LARBERT**

**(A) PER MARK GALLACHER**

2. The Acting Managing Solicitor advised that consideration of an application (tabled) by Certas Energy UK Limited, Tryst House, Glenbervie Business Park, Larbert per Mark Gallacher for a Late Hours Catering Licence in respect of the premises at Shell Bellshill, North Road, Bellshill had been received.

The Administrative Officer indicated that although Mark Gallacher was not in attendance, Donald McGregor, Area Manager and Andrew Young, Health and Safety and Legal Compliance, Certas Energy UK Limited were in attendance.

The Sub-Committee then heard Donald McGregor and Andrew Young speak in respect of the application.

Thereafter, Donald McGregor, Andrew Young and the representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Donald McGregor, Andrew Young and the representative of the Police were then re-admitted to the meeting.

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Donald McGregor, Andrew Young and the representative of the Police were then re-admitted to the meeting.

**Decided:** that the application by Certas Energy UK Limited for a Late Hours Catering Licence be granted.

**(B) PER ELAINE DUNLOP**

3. The Acting Managing Solicitor advised that consideration of an application (tabled) by Certas Energy UK Limited, Tryst House, Glenbervie Business Park, Larbert per Elaine Dunlop for a Late Hours Catering Licence in respect of the premises at Shell Coatbridge, 331 Bank Street, Coatbridge had been received.

The Administrative Officer indicated that although Elaine Dunlop was not in attendance, Donald McGregor, Area Manager and Andrew Young, Health and Safety and Legal Compliance, Certas Energy UK Limited were in attendance.

The Sub-Committee then heard Donald McGregor and Andrew Young speak in respect of the application.

Thereafter, Donald McGregor, Andrew Young and the representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Donald McGregor, Andrew Young and the representative of the Police were then re-admitted to the meeting.

**Decided:** that the application by Certas Energy UK Limited for a Late Hours Catering Licence be granted.

**(C) PER JACQUELINE JOHN BELL**

4. The Acting Managing Solicitor advised that consideration of an application by Certas Energy UK Limited, Tryst House, Glenbervie Business Park, Larbert per Jacqueline John Bell for a Late Hours Catering Licence in respect of the premises at Shell Newmains, 75 Main Street, Wishaw had been received.

The Administrative Officer indicated that although Jacqueline John Bell was not in attendance, Donald McGregor, Area Manager and Andrew Young, Health and Safety and Legal Compliance, Certas Energy UK Limited were in attendance.

The Sub-Committee then heard Donald McGregor and Andrew Young speak in respect of the application.

Thereafter, Donald McGregor, Andrew Young and the representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Donald McGregor, Andrew Young and the representative of the Police were then re-admitted to the meeting.

**Decided:** that the application by Certas Energy UK Limited for a Late Hours Catering Licence be granted.

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**(b) RENEWAL - JASKARAN SANDHU**

5. The Acting Managing Solicitor advised (1) that an application (tabled) by Jaskaran Sandhu for the renewal of his Late Hours Catering Licence in respect of the premises at Villa Connection, 438 Brandon Street, Motherwell had been received, and (2) that an objection (tabled) to the application had been received from the Head of Protective Services and a representation (tabled) had been received from the Business Manager (Business Development and Building Standards), Regeneration and Environmental Services.

The Sub-Committee then heard (1) Moira Cartwright outline the Head of Protective Services' objection to the application; (2) Derek Bramma outline the Business Manager's representation, and (3) Jaskaran Sandhu's agent, Mr. Moore, Moore MacDonald, Solicitors, speak in support of the application.

Thereafter, the applicant, Mr. Moore, Moira Cartwright, Derek Bramma and the representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant, Mr. Moore, Moira Cartwright, Derek Bramma and the representative of the Police were then re-admitted to the meeting.

**Decided:** that the application by Jaskaran Sandhu for the renewal of his Late Hours Catering Licence be granted for a period of one year.

**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) TAXI DRIVER'S LICENCE - COMPLAINT - STEVEN ROWNEY**

6. The Acting Managing 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, Police Scotland, relative to the behaviour of Steven Rowney, who currently held a Taxi Driver's Licence.

The Sub-Committee then heard John Waddell outline the Chief Constable's complaint and Steven Rowney's agent, Jack Grant, Jack Grant and Company, Solicitors, speak in respect of the complaint.

Thereafter, Steven Rowney, Jack Grant and the representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Thereafter, Steven Rowney, Jack Grant and the representative 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 Steven Rowney be not upheld.

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**Motherwell, 11 March 2015 at 10 am.**

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

**PRESENT**

Councillors Clinch, Farooq, Irvine, McKendrick, McVey, Majid, Nolan and P. O'Rourke.

**CHAIR**

In the absence of the Convener, Councillor Clinch presided.

**IN ATTENDANCE**

The Administrative Officer (Committee and Civic Governance Services) and Acting Managing Solicitor (Licensing and Litigation).

**ALSO IN ATTENDANCE**

John Waddell, Lanarkshire Division, Police Scotland.

**APOLOGIES**

Councillors Hogg, Love and Sullivan,

**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) PETER McGOWAN**

2. The Acting Managing Solicitor advised (1) that an application (tabled) by Peter McGowan 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, Police Scotland.

The Sub-Committee then heard John Waddell outline the Chief Constable's objection to the application and Peter McGowan speak in support of his application.

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

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The applicant and the representative of the Police were then re-admitted to the meeting.

**Decided:** that the application by Peter McGowan for a Private Hire Car Driver's Licence be granted.

**(b) GARY MARTIN**

3. The Acting Managing Solicitor advised (1) that an application (tabled) by Gary Martin 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, Police Scotland.

The Sub-Committee then heard John Waddell outline the Chief Constable's objection to the application and Gary Martin speak in support of his application.

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

The applicant and the representative of the Police were then re-admitted to the meeting.

**Decided:** that the application by Gary Martin for a Private Hire Car Driver's Licence be granted.

**(c) JAMES WALSH**

4. The Acting Managing Solicitor advised (1) that an application (tabled) by James Walsh 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, Police Scotland.

The Sub-Committee then heard John Waddell outline the Chief Constable's objection to the application and James Walsh and his father, Paul Walsh speak in support of the application.

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

The applicant, Paul Walsh and the representative of the Police were then re-admitted to the meeting.

**Decided:** that the application by James Walsh for a Private Hire Car Driver's Licence be granted.

**(2) PRIVATE HIRE CAR DRIVER'S LICENCE AND PRIVATE HIRE CAR LICENCE – COMPLAINT - THOMAS MOORE**

5. The Acting Managing Solicitor advised (1) that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1984, a complaint (tabled) had been received from the Chief Constable, Police Scotland relative to the behaviour of Thomas Moore who currently held a Private Hire Car Driver's Licence and a Private Hire Car Licence, and (2) that Thomas Moore's Private Hire Car Licence had subsequently expired.

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

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

The Sub-Committee then heard John Waddell outline the Chief Constable's complaint.

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

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The representative of the Police was then re-admitted to the meeting.

**Decided:** that the complaint by the Chief Constable relative to the behaviour of Thomas Moore be not upheld.

**(3) PRIVATE HIRE CAR LICENCE - RENEWAL - THOMAS SMITH**

6. The Acting Managing Solicitor advised (1) that an application (tabled) by Thomas Smith for the renewal of his Private Hire Car Licence had been received, and (2) that Thomas Smith did not have a vehicle that was compliant with the Council's specification.

The Sub-Committee then heard the applicant speak in respect of the application.

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

The applicant and the representative of the Police were then re-admitted to the meeting.

**Decided:** that the application by Thomas Smith for the renewal of his Private Hire Car Licence be granted for a period of 12 months.

**(4) SECOND HAND DEALER'S LICENCE - NEW APPLICATIONS - ADAM KORYCINSKI, T/A TOP CASH FOR CLOTHES LIMITED, 40 AUCHINGRAMONT ROAD, HAMILTON**

7. The Acting Managing Solicitor advised (1) that applications (tabled) by Adam Korycinski for a Second Hand Dealer's Licence in respect of the premises at (a) 12 Stirling Street, Airdrie; (b) 196 Motherwell Road, Bellshill; (c) 638 Merry Street, Motherwell; (d) 802 Old Edinburgh Road, Viewpark, and (e) Unit 17, Heathery Road, Wishaw had been received, and (2) that objections to the applications had been received from the Chief Constable, Police Scotland.

The Sub-Committee then heard John Waddell outline the Chief Constable's objection to the applications and Adam Korycinski and his father-in-law, James McIntyre speak in support of the applications.

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

The applicant, James McIntyre and the representative of the Police were then re-admitted to the meeting.

**Decided:** that the applications by Adam Korycinski for a Second Hand Dealer's Licence be granted.

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**Motherwell, 1 April 2015 at 10 am.**

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

**PRESENT**

Councillor W. Hogg, Convener; Councillors Irvine, McKendrick, McVey, Majid, Nolan and Sullivan.

**CHAIR**

Councillor W. Hogg (Convener) presided.

**IN ATTENDANCE**

The Administrative Officer (Committee and Civic Governance Services) and Acting Managing Solicitor (Licensing and Litigation).

**ALSO IN ATTENDANCE**

John Waddell, Lanarkshire Division, Police Scotland.

**APOLOGIES**

Councillors Farooq, Love and P. O'Rourke.

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

1. Councillor McKendrick declared an interest in paragraph 2 below by reason of the applicant being known to him and took no part in the consideration thereof.  
  
Councillor McVey declared an interest in paragraph 7 below by reason of the applicant being known to her and took no part in the consideration thereof.  
  
Councillor Sullivan declared an interest in paragraph 3 below by reason of the applicant being known to him and took no part in the consideration thereof.

**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) TAXI DRIVER'S LICENCE - RENEWALS**

**Councillor McKendrick, having declared an interest in the following item of business by reason of the applicant being known to him, withdrew from the meeting and took no part in the consideration thereof.**

**(a) MARK DEVINE**

2. The Acting Managing Solicitor advised (1) that an application (tabled) by Mark Devine for the renewal of his Taxi Driver's Licence had been received, and (2) that an objection (tabled) to the application had been received from the Chief Constable, Police Scotland.
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The Sub-Committee then heard John Waddell outline the Chief Constable's objection to the application and Mark Devine's agent, Ian McKillop, Austin Lafferty and Company, Solicitors speak in support of the application and table character references from Dr. Paul Costello, Knightswood Medical Practice and B. Devine and Son Taxi Services.

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

The applicant, Ian McKillop and the representative of the Police were then re-admitted to the meeting.

**Decided:** that the application by Mark Devine for the renewal of his Taxi Driver's Licence be granted.

**Councillor McKendrick returned to the meeting.**

**Councillor Sullivan, having declared an interest in the following item of business by reason of the applicant being known to him, withdrew from the meeting and took no part in the consideration thereof.**

**(b) JOSEPH STEVENSON**

3. The Acting Managing Solicitor advised (1) that an application (tabled) by Joseph Stevenson for the renewal of his Taxi Driver's Licence had been received, and (2) that an objection (tabled) to the application had been received from the Chief Constable, Police Scotland.

The Sub-Committee then heard John Waddell outline the Chief Constable's objection to the application and Joseph Stevenson and his wife, Geraldine Stevenson speak in support of the application.

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

The applicant, Geraldine Stevenson and the representative of the Police were then re-admitted to the meeting.

**Decided:** that the application by Joseph Stevenson for the renewal of his Taxi Driver's Licence be granted until 31 March 2016.

**(2) TAXI LICENCE - ADVERTISEMENT**

**(a) MATHEW STRAIN**

4. The Acting Managing Solicitor advised that an application (tabled) by Mathew Strain for an advertisement on his Taxi promoting Socialites Electronic Cigarettes had been received.

The Administrative Officer then indicated that although Matthew Strain was not in attendance, he had submitted a letter authorising Tracey Stirling, Regional Manager, Socialites Electronic Cigarettes to speak on his behalf.

The Sub-Committee then heard Tracey Stirling, Regional Manager and Ray Conway, Managing Director, Socialites Electronic Cigarettes, and Desmond Strain speak in respect of the application.

Thereafter, Tracey Stirling, Ray Conway, Desmond Strain and the representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

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Tracey Stirling, Ray Conway, Desmond Strain and the representative of the Police were then re-admitted to the meeting.

**Decided:** that the application by Mathew Strain for the advertisement on his taxi be refused.

**(b) DESMOND STRAIN AND HEATHER STRAIN**

5. With reference to the preceding paragraph, the Acting Managing Solicitor advised that consideration of an application (tabled) by Desmond Strain and Heather Strain for an advertisement on their Taxi promoting Socialites Electronic Cigarettes had been received.

The Administrative Officer then indicated that Heather Strain was not in attendance.

The Sub-Committee then heard the applicant, Tracey Stirling, Ray Conway and Desmond Strain speak in respect of the application.

Thereafter, the applicant, Tracey Stirling, Ray Conway and the representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant, Tracey Stirling, Ray Conway and the representative of the Police were then re-admitted to the meeting.

**Decided:** that the application by Desmond Strain and Heather Strain for the advertisement on their taxi be refused.

**(3) WINDOW CLEANER'S LICENCE - NEW APPLICATIONS**

**(a) CRAIG LAFFERTY**

6. The Acting Managing Solicitor advised (1) that an application (tabled) by Craig Lafferty 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, Police Scotland.

The Sub-Committee then heard John Waddell outline the Chief Constable's objection to the application and the applicant and his mother, Tracey Coffield, speak in support of the application.

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

The applicant, Tracey Coffield and the representative of the Police were then re-admitted to the meeting.

**Decided:** that the application by Craig Lafferty for a Window Cleaner's Licence be granted for a period of one year.

**Councillor McVey, having declared an interest in the following item of business, by reason of the applicant being known to her, withdrew from the meeting and took no part in the consideration thereof.**

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**(b) PAUL STEWART**

7. The Acting Managing Solicitor advised (1) that an application (tabled) by Paul Stewart 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, Police Scotland.

The Sub-Committee then heard John Waddell outline the Chief Constable's objection to the application and Paul Stewart speak in support of his application.

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

The applicant and the representative of the Police were then re-admitted to the meeting.

**Decided:** that the application by Paul Stewart for a Window Cleaner's Licence be granted for a period of one year.

**Councillor Hogg being the mover of a motion which failed to attract a seconder, asked that his dissent be recorded.**

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