

CORPORATE SERVICES (LICENSING) SUB – 26 August 2009

Motherwell, 26 August 2009 at 9.30 am.

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

PRESENT

Councillor Hogg, Convener; Councillors Ferrie, Homer, Irvine and McShannon.

CHAIR

Councillor Hogg (Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

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

APOLOGIES

Councillors Harmon, McAuley, McElroy and Wallace.

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 APPLICATION - BP OIL UK LIMITED, CRAIGLIN CONNECT M AND S, CRAIGLIN PARK ROAD, CUMBERNAULD PER LHYAM SUMAL

2. The Chief Solicitor advised that an application (tabled) by BP Oil Limited per Lhyam Sumal for a Late Hours Catering Licence in respect of the premises at Craiglin Connect M and S, Craiglin Park Road, Cumbernauld had been received, and (2) of the background relative thereto.

The Sub-Committee then heard the applicant's agent, Stephanie Lynn, Harper and McLeod, Solicitors, speak in respect of the application.

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

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

Decided: that the application by BP Oil UK Limited per Lhyam Sumal for a Late Hours Catering Licence be granted.

(b) VARIATION - MCDONALDS RESTAURANT, 11 LANGMUIR ROAD, BARGEDDIE PER EDWARD POLOCKUS

3. The Chief Solicitor advised (1) that consideration of an application (tabled) by McDonalds Restaurant per Edward Polockus for a variation to it's Late Hours Catering Licence in respect of the premises at 11 Langmuir Road, Bargeddie had been received, and (2) of the background relative thereto.

The Sub-Committee then heard the applicant's agent Sarah Grewar, Anderson Strathern, Solicitors speak in respect of the application.

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

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

Decided: that the application by McDonalds Restaurant per Edward Polockus for a variation to it's Late Hours Catering Licence be granted.

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.

(2) PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATION - JAMES DEWAR

4. The Chief Solicitor advised (1) that an application by James Dewar for a Private Hire Car Driver's Licence had been received, and (2) that an objection to the application had been received from the Chief Constable, Strathclyde Police.

The Administrative Officer then indicated that James Dewar was not in attendance.

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

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

(3) TAXI DRIVER'S LICENCE - NEW APPLICATION - MARTIN FORREST

5. The Chief Solicitor advised (1) that an application by Martin Forrest for a Taxi Driver's Licence had been received, and (2) of the background relative thereto.

The Administrative Officer then indicated that Martin Forrest was not in attendance.

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

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

(4) WINDOW CLEANER'S LICENCE - NEW APPLICATION - HARRY GILLESPIE

6. The Chief Solicitor advised that an application by Harry Gillespie for a Window Cleaner's Licence had been received, and (2) of the background relative thereto.

The Administrative Officer then indicated that Harry Gillespie was not in attendance.

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

Decided: that consideration of the application by Harry Gillespie for a Window Cleaner's Licence be continued to allow the applicant another opportunity to appear before the Sub-Committee to speak in support of his application.

Motherwell, 31 August 2009 at 10.30 am.

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

PRESENT

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

CHAIR

Councillor Hogg (Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

Chief Inspector Fitzpatrick 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.

HEARINGS

(1) LATE HOURS CATERING LICENCE – NEW APPLICATIONS

(a) SUBWAY, 9 HAMILTON ROAD, BELLSHILL PER MICHELLE REILLY

2. The Chief Solicitor advised (1) that an application (tabled) by Subway per Michelle Reilly for a Late Hours Catering Licence in respect of the premises at 9 Hamilton Road, Bellshill had been received; (2) that objections (tabled) to the application had been received from local residents, and (3) that a late objection to the application had been received from Lanarkshire Housing Association.

The Sub-Committee then heard Teresa Ward, Lanarkshire Housing Association explain the reason for the objection being submitted late and Michelle Reilly advise that she had no objection to the objection being considered.

The Sub-Committee then heard (1) Teresa Ward outline Lanarkshire Housing Association's objection (tabled) to the application; (2) Sharon Hyland and Lea Mitchell, local residents, outline their objections to the application, and (3) Michelle Reilly speak in support of her application.

Thereafter, the applicant, Teresa Ward, Sharon Hyland, Lea Mitchell and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant, Teresa Ward, Sharon Hyland, Lea Mitchell and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Subway per Michelle Reilly for a Late Hours Catering Licence be refused.

(b) MCDONALDS RESTAURANT, PER ALAN MACDONALD, 133 GLASGOW ROAD, WISHAW

3. The Chief Solicitor advised (1) that an application (tabled) by McDonalds Restaurant per Alan MacDonald, for a Late Hours Catering Licence in respect of the premises at 133 Glasgow Road had been received; (2) that objections (tabled) to the application had been received from Central Wishaw Community Council, Coltness Community Council and George Newall, local resident, and (3) that George Newall had indicated that he was unable to be in attendance .

The Administrative Officer then indicated that no representative was in attendance from Central Wishaw Community Council or Coltness Community Council.

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

The Sub-Committee then heard the applicant's agent, Sarah Grewar, Anderson Strathern, Solicitors, speak in respect of the application.

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

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

Decided: that the application by McDonalds Restaurant per Alan MacDonald for a Late Hours Catering Licence be granted with the condition that a Litter Management Plan be implemented.

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

Motherwell, 16 September 2009 at 9.30 am.

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

PRESENT

Councillor Hogg, Convener; Councillor McAuley, Vice-Convener; Councillors Clarke, Ferrie, Harmon, 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 McPhail and Sergeant Harkin, "N" Division, Strathclyde Police.

APOLOGIES

Councillors S. Love and Wallace.

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

1. Councillor Hogg declared a non-financial interest in paragraph 4 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.

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

HEARINGS

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

(a) JOSEPH JOHN HENDERSON

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

The Sub-Committee then heard the applicant, his father, Joseph Henderson senior and Chief Inspector McPhail speak in respect of the application.

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

The applicant, Joseph Henderson senior and representatives of the Police were then re-admitted to the meeting.

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

(b) COLIN JAMES McGREGOR

3. The Chief Solicitor advised (1) that an application (tabled) by Colin James McGregor 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 McPhail outline the Chief Constable's objection to the application and Colin James McGregor 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 Colin James McGregor for a Private Hire Car Driver's Licence be granted for a period of one year.

The Convener being the mover of an amendment which failed to attract a seconder asked that his dissent be recorded.

Councillor Hogg declared a non-financial interest in the following item of business by reason of the applicant being known to him, vacated the Chair and took no part in the consideration or decision thereon.

Councillor McAuley assumed the Chair.

(c) JAMES DEWAR

4. With reference to paragraph 4 of the Minute of the meeting of this Sub-Committee held on 26 August 2009, the Chief Solicitor advised that consideration of an application (tabled) by James Dewar for a Private Hire Car Driver's Licence had been continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application.

The Administrative Officer then indicated that James Dewar was not in attendance.

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

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

Councillor Hogg assumed the Chair.

(2) WINDOW CLEANER'S LICENCE - NEW APPLICATION - HARRY GILLESPIE

5. With reference to paragraph 6 of the Minute of the meeting of this Sub-Committee held on 26 August 2009, the Chief Solicitor advised that consideration of an application (tabled) by Harry Gillespie for a Window Cleaner's Licence had been continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application.

The Sub-Committee then heard the applicant and Chief Inspector McPhail 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 Harry Gillespie for a Window Cleaner's Licence be granted.

(3) STREET TRADER'S LICENCE - NEW APPLICATIONS

(a) JACQUELINE KELLY

6. The Chief Solicitor advised (1) that an application by Jacqueline Kelly for a Street Trader's Licence to enable her to trade from a mobile grocer van in the Coatbridge area had been received, and (2) of the background relative thereto.

The Administrative Officer then indicated that Jacqueline Kelly was not in attendance.

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

Decided: that consideration of the application by Jacqueline Kelly for a Street Trader's Licence be continued to allow the applicant another opportunity to appear before the Sub-Committee to speak in support of her application.

(b) ALLAN WILLIAM NOBLE

7. The Chief Solicitor advised (1) that an application (tabled) by Allan William Noble for a Street Trader's Licence to enable him to trade from a mobile ice cream van in the Coatbridge area 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 McPhail outline the Chief Constable's objection to the application and Stuart Kennedy and Allan William Noble speak in support of his application.

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

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

Decided: that the application by Allan William Noble for a Street Trader's Licence be granted for a period of one year.

Motherwell, 30 September 2009 at 9.30 am.

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

PRESENT

Councillor Hogg, Convener; Councillors Harmon, Homer, 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 Fitzpatrick and Sergeant Harkin, "N" Division, Strathclyde Police.

APOLOGIES

Councillors 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) SCOTT JAMES ANDERSON

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

The Sub-Committee then heard the applicant and Chief Inspector Fitzpatrick 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 Scott James Anderson for a Private Hire Car Driver's Licence be granted.

(b) STUART JAMES McALLISTER

3. The Chief Solicitor advised (1) that an application (tabled) by Stuart James McAllister 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 Fitzpatrick outline the Chief Constable's objection to the application and Stuart James McAllister's agent, Jim Kelly, John J. Smith and Company, Solicitors speak in support of the application.

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

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

Decided: that the application by Stuart James McAllister for a Private Hire Car Driver's Licence be granted for a period of one year.

(2) STREET TRADER'S LICENCE - NEW APPLICATION - JACQUELINE KELLY

4. With reference to paragraph 6 of the Minute of the meeting of this Sub-Committee held on 16 September 2009, the Chief Solicitor advised (1) that consideration of an application by Jacqueline Kelly for a Street Trader's Licence to enable her to trade from a mobile ice cream van in the Coatbridge area had been continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of her application, and (2) that an anonymous letter objecting to the application had been received from a concerned parent, Kirkshaws, Coatbridge.

The Sub-Committee then heard Jacqueline Kelly speak in support of her 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 Jacqueline Kelly for a Street Trader's Licence be granted.

(3) SECOND HAND DEALER'S LICENCE - THOMAS DUNNE -- RECALL OF SUSPENSION

5. With reference to paragraph 5 of the Minute of the meeting of this Sub-Committee held on 5 August 2009, when it was agreed that the Second Hand Dealer's Licence currently held by Thomas Dunne be suspended for the unexpired duration of his Licence, the Chief Solicitor advised that a request (tabled) had been received from Thomas Dunne's agent, Michael Lott, Solicitors and Notary Public seeking the recall of that suspension.

The Sub-Committee then heard Michael Lott, Thomas Dunne and Peter Fergie, Enforcement and Projects Manager, Environmental Services in respect of the request.

Thereafter, Thomas Dunne, Michael Lott and Peter Fergie withdrew from the meeting and the Sub-Committee resumed consideration of the request.

Thomas Dunne, Michael Lott and Peter Fergie were re-admitted to the meeting.

Decided: that, in terms of paragraph 11 of the Civic Government (Scotland) Act 1982, the suspension of Thomas Dunne's Second Hand Dealer's Licence be not recalled.
