

CORPORATE SERVICES (LICENSING) SUB – 2 February 2011

Motherwell, 2 February 2011 at 9.30 am.

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

PRESENT

Councillor Hogg, Convener; Councillor McAuley, Vice-Convener; Councillors Ferrie, Harmon, 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 Connell and Sergeant Hayburn, "N" Division, Strathclyde Police.

APOLOGIES

Councillors Clarke and Sullivan.

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

1. No declarations were made.

HEARINGS

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.

PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATION - BRIAN GOODWIN

2. The Chief Solicitor advised that consideration of an application by Brian Goodwin 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 Sub-Committee then heard the applicant and Superintendent Connell 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 Brian Goodwin for a Private Hire Car Driver's Licence be granted for a period of one year.

SECOND HAND DEALER'S LICENCE - NEW APPLICATION - EUGENE CALLAGHAN

3. The Chief Solicitor advised (1) that consideration of an application by Eugene Callaghan for a Second Hand Dealer's Licence to enable him to trade in Second Hand Car Sales at 63 Bellsdyke Road, Cairnhill, Airdrie 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 a late objection to the application had been received from the Executive Director of Environmental Services.

The Sub-Committee then heard Mr. Cruickshank explain the reasons for the Executive Director of Environmental Services' objection being submitted late and Eugene Callaghan indicate that he had no objection to the late objection being considered.

The Sub-Committee then heard Mr. Cruickshanks outline the Executive Director of Environmental Services objections to the application and Eugene Callaghan 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 Eugene Callaghan for a Second Hand Dealer's Licence be granted subject to the conditions that cars shall not be parked on the public road.

Motherwell, 7 February 2011 at 2.30 pm.

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

PRESENT

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

CHAIR

Councillor Hogg (Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

Sergeant Hayburn, "N" Division, Strathclyde Police.

APOLOGIES

Councillors Clarke, Ferrie and S. Love.

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

1. No declarations were made.

HEARING

PUBLIC ENTERTAINMENT LICENCE – NEW APPLICATION - WILLIAM ALAN NEESOME

2. The Chief Solicitor advised (1) that an application (tabled) by William Alan Neesome for a Public Entertainment Licence to hold a family fun fair in the car park at 1 Manse Road, Motherwell from Thursday, 10 February to Tuesday, 15 February 2011 had been received, and (2) that objections (tabled) to the application had been received from (a) Councillor Harmon, a local Member; (b) Mrs. J. King and signed by another six local residents; (c) Dr. R. Liddle and Partners, Modyrvale Medical Centre, and (d) the Operation Services Manager (Mental Health Unit) NHS Lanarkshire.

The Administrative Officer then indicated that a representative from Dr. R. Liddle and Partners or NHS Lanarkshire were in attendance.

Thereafter, the Sub-Committee resumed consideration of the matter in Dr. R. Liddle and Partners or NHS Lanarkshire's absence.

The Sub-Committee then heard Councillor Harmon and Mrs. King outline their objections to the application and Mr. Neesome, Liz McGuinness, Kidney Research UK and Rev. Baxendale, Motherwell South Parish Church speak in support of the application.

Thereafter, the applicant, Liz McGuinness, Rev. Baxendale, Councillor Harmon, Mrs. King and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

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The applicant, Liz McGuinness, Rev. Baxendale, Councillor Harmon, Mrs. King and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by William Alan Neesome for a Public Entertainment Licence be granted.

Motherwell, 23 February 2011 at 9.30 am.

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

PRESENT

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

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 Clarke, Ferrie and Harmon.

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 paragraph* of Part 1 of Schedule 7A of the Act.

HEARINGS

(1) PRIVATE HIRE CAR DRIVER'S LICENCE – NEW APPLICATION - AMARJIT SINGH

2. The Chief Solicitor advised (1) that an application (tabled) by Amarjit Singh 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 Amarjit Singh 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 Amarjit Singh for a Private Hire Car Driver's Licence be granted for a period of one year.

**(2) PRIVATE HIRE CAR LICENCE AND PRIVATE HIRE CAR DRIVER'S LICENCE – COMPLAINT -
GREIG ROBINSON**

3. 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 Greig Robinson who currently held a Private Hire Car Licence and Private Hire Car Driver's Licence.

The Sub-Committee heard Chief Inspector Fitzpatrick outline the Chief Constable's complaint and Greig Robinson, his agent, Steven Lilly, Waters Steven and Company, Solicitors speak in respect of the complaint.

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

Greig Robinson, Steven Lilly and 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 complaint relative to the behaviour of Greig Robinson be not upheld and his Private Hire Car Licence and Private Hire Car Driver's Licence be not suspended.

Motherwell, 9 March 2011 at 9.30 am.

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

PRESENT

Councillor McAuley, Vice-Convenor; Councillors Ferrie, Harmon, S. Love, McElroy and Sullivan.

CHAIR

In the absence of Councillor Hogg, Councillor McAuley (Vice-Convenor) 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 Clarke, Hogg 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.

HEARINGS

(1) PRIVATE HIRE CAR LICENCE AND PRIVATE HIRE CAR DRIVER'S LICENCE – COMPLAINTS

(a) WILLIAM MacKENZIE

2. 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 MacKenzie who currently held a Private Hire Car Licence and a Private Hire Car Driver's Licence.

The Administrative Officer indicated that William MacKenzie was not in attendance.

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

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

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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 12 of Schedule 1 of the Civic Government (Scotland) Act 1982, the complaint relative to the behaviour of William MacKenzie be upheld and the Private Hire Car Licence and Private Hire Car Driver's Licence be suspended with immediate effect.

(b) MARK STEVENSON

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 by the Council's Licensing Enforcement Officers from Emma Hamill relative to the behaviour of Mark Stevenson who currently held a Private Hire Car Licence and a Private Hire Car Driver's Licence.

The Sub-Committee then heard Emma Hamill and her mother, Janice Hamill outline the complaint and Mark Stevenson's agent, Elizabeth Craigmyle, Craigmyle and Company speak in respect of the complaint and table character references.

Thereafter, Mark Stevenson, Elizabeth Craigmyle, Emma Hamill, Janice Hamill and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Mark Stevenson, Elizabeth Craigmyle, Emma Hamill, Janice Hamill and representatives of the Police were then re-admitted to the meeting.

Councillor Love, seconded by Councillor McElroy moved that the complaint by Emma Hamill relative to the behaviour of Mark Stevenson be upheld.

Councillor Sullivan, seconded by Councillor Harmon, moved as an amendment, that the complaint by Emma Hamill be not upheld.

On a vote being taken, 3 Members voted for the amendment and 3 Members voted for the motion. The vote being equal, the Chair exercised her casting vote in favour of the motion, which was accordingly declared carried.

The Sub-Committee then heard Elizabeth Craigmyle in mitigation.

Thereafter, Mark Stevenson, Elizabeth Craigmyle, Emma Hamill, Janice Hamill and representatives of the Police again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Mark Stevenson, Elizabeth Craigmyle, Emma Hamill, Janice Hamill 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 Licence and Private Hire Car Driver's Licence currently held by Mark Stevenson be not suspended on the understanding that the Head of Legal Services issue him with a letter warning him as to his future conduct.

(2) PRIVATE HIRE CAR DRIVER'S LICENCE - RENEWAL - MOHAMAD FAROOQ

4. The Chief Solicitor advised that an application (tabled) by Mohamad Farooq for the renewal of his Private Hire Car Driver's Licence had been received.
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The Sub-Committee then heard the applicant and Chief Inspector Fitzpatrick speak in respect to 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 Mohamad Farooq for the renewal of his Private Hire Car Driver's Licence be granted.

(3) TAXI DRIVER'S LICENCE – RECALL OF SUSPENSION - PAUL ROONEY

5. With reference to paragraph 7 of the Minute of the meeting of this Committee held on 17 June 2010 when it was agreed that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, the Taxi Driver's Licence currently held by Paul Rooney be suspended for the unexpired duration of the Licence, with immediate effect, the Chief Solicitor advised that a request had been received from Paul Rooney seeking the recall of the suspension of his Taxi Driver's Licence.

The Administrative Officer then indicated that Paul Rooney was not in attendance.

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

Decided: that consideration of the recall of the suspension of Paul Rooney's Taxi Driver's Licence be continued to allow Paul Rooney another opportunity to appear before the Sub-Committee to speak in support of the request.

(4) WINDOW CLEANER'S LICENCE - NEW APPLICATION - ROSS SCOTT

6. The Chief Solicitor advised (1) that an application (tabled) by Ross Scott 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 Chief Inspector Fitzpatrick outline the Chief Constable's objection to the application and Ross Scott 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 for Ross Scott for a Window Cleaner's Licence be granted.

Motherwell, 30 March 2011 at 10 am.

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

PRESENT

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

CHAIR

Councillor Hogg (Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

Chief Inspector Fitzpatrick, "N" Division, Strathclyde Police.

APOLOGIES

Councillors Clarke, Harmon and Homer.

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

1. Councillor Love declared an interest in paragraph 5 below as the applicant may have been known to him.

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 paragraph of Part 1 of Schedule 7A of the Act.

HEARINGS

(1) PRIVATE HIRE CAR LICENCE AND PRIVATE HIRE CAR DRIVER'S LICENCE – COMPLAINTS

(a) WILLIAM MACKENZIE

2. With reference to paragraph 2 of the Minute of the meeting of this Sub-Committee held on 9 March 2011, when it was agreed that the complaint by the Chief Constable, relative to the behaviour of William MacKenzie, who currently held a Private Hire Car Licence and Private Hire Car Driver's Licence be upheld and the Licences be suspended with immediate effect, the Chief Solicitor (Licensing) advised that, in terms of paragraph 12(5) 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 MacKenzie.

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

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

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

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

The representative from the Police was 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 Licence and Private Hire Car Driver's Licence held by William MacKenzie be suspended for the unexpired duration with immediate effect.

(b) GREIG ROBINSON

3. With reference to paragraph 3 of the Minute of the meeting of this Sub-Committee held on 23 February 2011, when it was agreed that the complaint by the Chief Constable, relative to the behaviour of Greig Robinson, who currently held a Private Hire Car Licence and Private Hire Car Driver's Licence be not upheld and the Licences be not suspended, the Chief Solicitor (Licensing) advised that, in terms of paragraph 12(5) 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 Greig Robinson.

The Sub-Committee then heard Chief Inspector Fitzpatrick outline the Chief Constable's complaint and Greig Robinson's agent, Steven Lilly, Watters, Steven and Company, Solicitors speak in respect of the complaint.

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

Greig Robinson, Steven Lilly and the representative from the Police were 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 Greig Robinson who currently held a Private Hire Car Licence and Private Hire Car Driver's Licence be not upheld and the Licences be not suspended.

(2) PUBLIC ENTERTAINMENT LICENCE - RENEWAL - JENSON CONNELLY

4. The Chief Solicitor advised (1) that an application (tabled) by Jenson Connelly for the renewal of her Public Entertainment Licence to enable a Street Fair at Main Street and also part of the car park at Emma Jay Road, Bellshill had been received; (2) that an objection to the application had been received from the Executive Director of Environmental Services, and (3) that the Executive Director of Environmental Services had subsequently withdrawn his objection although expressed concerns as to the duration of the Licence, if granted.

The Sub-Committee then heard David Laing, Building Standards outline the Executive Director of Environmental Services' concerns regarding the application and Jenson Connelly speak in support of her application.

Thereafter, the applicant, David Laing 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 Jenson Connelly for the renewal of her Public Entertainment Licence be granted for a period of one year.

Councillor Love declared an interest in the following item of business as the applicant may have been known to him, withdrew from the meeting and took no part in the consideration thereof.

(3) SKIN PIERCING/TATTOOING LICENCE - RENEWAL - DAVID PARTRIDGE

5. The Chief Solicitor advised (1) that an application (tabled) by David Partridge for the renewal of Skin Piercing/Tattooing 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 objections to the application and David Partridge and his colleague, Mr. McGowan speak in support of his application.

Thereafter, the applicant, Mr. McGowan 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 Partridge for the renewal of his Skin Piercing/Tattooing Licence be granted for a period of one year.

Motherwell, 18 April 2011 at 3 pm.

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

PRESENT

Councillor Hogg, (Convener); Councillor McAuley, Vice-Convener; Councillors S. Love and McElroy.

CHAIR

Councillor McAuley (Vice-Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

Sergeant Harkin, "N" Division, Strathclyde Police.

APOLOGIES

Councillors Clarke, Harmon, Irvine and Sullivan

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

1. No declarations were made.

HEARINGS

(1) PUBLIC ENTERTAINMENT LICENCE - NEW APPLICATION - MICHAEL STIRLING

2. The Chief Solicitor advised (1) that an application (tabled) by Michael Stirling for a Public Entertainment Licence to hold a fun fair in West End Park, Bank Street, Coatbridge on the undernoted dates and times had been received, viz:-

Wednesday, 4 May to Sunday, 15 May 2011
Weekdays during school term, 6 pm to 9.30 pm
Saturday and school holidays, 1.30 pm to 9.30 pm
Sunday, 8 May 2011, 1.30 pm to 9 pm
Sunday, 15 May 2011, 1.30 pm to 8 pm

and (2) that objections (tabled) to the application had been received from the Executive Director of Environmental Services.

The Sub-Committee then heard Thomas Lennon, Building Standards Division and Fiona Kennedy and John Craw, Roads and Transportation Division outline the Executive Director of Environmental Services objections to the application and Michael Stirling speak in support of his application.

Thereafter, the applicant, Thomas Lennon, Fiona Kennedy, John Crow and the representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant, Thomas Lennon, Fiona Kennedy, John Crow and the representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Michael Stirling for a Public Entertainment Licence be granted subject to the necessary paperwork being submitted timeously to the Executive Director of Environmental Services.

(2) TAXI STANCE – VARIATION – MAIN ROAD, CONDORRAT, CUMBERNAULD

3. The Chief Solicitor advised (1) that a request (tabled) had been received from Condorrat Community Council seeking the reduction in the number of spaces at the taxi rank, Main Road, Condorrat from three to one, and (2) that objections (tabled) to the request had been received from Cumbernauld Taxis and Cumbernauld Taxi Owners' Association.

The Sub-Committee then heard Alan Sneddon, Condorrat Community Council speak in support of the request and John Burke, Condorrat Tenants' and Residents' Association and Jim Bradley and Robert Ramsay, Cumbernauld Taxis and Cumbernauld Taxi Owners' Association outline their objection to the request.

Thereafter, Alan Sneddon, John Burke, Jim Bradley, Robert Ramsay and the representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Alan Sneddon, John Burke, Jim Bradley, Robert Ramsay and the representatives of the Police were then re-admitted to the meeting.

Decided:

- (1) that the status quo prevail, and
 - (2) that it be recommended to the Head of Roads and Transportation that adequate signage be provided and that the bays be re-painted.
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