

Motherwell, 16 September 2015 at 10 am.

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

PRESENT

Councillor W. Hogg, Convener; Councillors Clinch, Farooq, Irvine, Love, Majid, Nolan and P. O'Rourke.

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

Sergeants McGovern and Tomlinson, Lanarkshire Division, Police Scotland.

APOLOGIES

Councillors McKendrick and McVey.

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

1. Councillor Majid declared an 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.

HEARINGS

(1) LATE HOURS CATERING LICENCE - NEW APPLICATION - PATRICK DUNESE

2. The Acting Managing Solicitor advised that an application (tabled) by Patrick Dunese for a Late Hours Catering Licence in respect of the premises at Franco Pizza, 22A High Street, Airdrie had been received.

The Sub-Committee then heard the applicant 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 Patrick Dunese for a Late Hours Catering Licence be granted on the understanding that it be for home deliveries only.

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

(a) STEPHEN MCNALLY

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

The Administrative Officer then indicated that Stephen McNally 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 Stephen McNally for the renewal of his Private Hire Car Driver's Licence be continued to allow Stephen McNally another opportunity to appear before the Sub-Committee to speak in respect of the application.

(b) ASIF SATAR

4. The Acting Managing Solicitor advised (1) that an application (tabled) by Asif Satar 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 Sergeant McGovern outline the Chief Constable's objection to the application and the applicant speak in respect of the 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.

Councillor Farooq, seconded by Councillor O'Rorke, moved that the application by Asif Satar for the renewal of his Private Hire Car Driver's Licence be granted for a period of one year.

Councillor Love, seconded by Councillor Hogg, moved, as an amendment, that the application by Asif Satar for the renewal of his Private Hire Car Driver's Licence be refused.

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

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

Councillor Majid 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.

(3) PRIVATE HIRE CAR LICENCE – RENEWAL - MUHAMMAD ASIF

5. The Acting Managing Solicitor advised (1) that an application (tabled) by Muhammad Asif for the renewal of his Private Hire Car Licence had been received, and (2) that Muhammad Asif 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 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 Muhammad Asif for the renewal of his Private Hire Car Licence be granted until 30 September 2017.

(4) TAXI DRIVER'S LICENCE

(a) COMPLAINT - PETER HIGGINS

6. The Acting Managing Solicitor advised that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1984, a complaint had been received from the Chief Constable, Police Scotland relative to the behaviour of Peter Higgins who currently held a Taxi Driver's Licence.

The Administrative Officer then indicated that Peter Higgins was not in attendance.

Thereafter, the Sub-Committee resumed consideration of the matter in Peter Higgins absence.

The Sub-Committee then heard Sergeant McGovern outline the Chief Constable's complaint (tabled).

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, having determined that the complaint be upheld, agreed that the Taxi Driver's Licence currently held by Peter Higgins be suspended, with immediate effect, for the unexpired duration of the Licence.

(b) NEW APPLICATION - GARY STEWART

7. The Acting Managing Solicitor advised (1) that an application by Gary Stewart for a Taxi Driver's Licence had been received, and (2) that Gary Stewart had indicated that he was unable to be in attendance and had requested that consideration be continued to allow him another opportunity to appear before the Sub-Committee.

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

Decided: that consideration of the application by Gary Stewart for a Taxi Driver's Licence be continued to allow Gary Stewart another opportunity to appear before the Sub-Committee to speak in support of the application.

(5) WINDOW CLEANER'S LICENCE - NEW APPLICATION - WILLIAM DICKIE

8. The Acting Managing Solicitor advised that an application by William Dickie for a Window Cleaner's Licence had been received.

The Administrative Officer then indicated that William Dickie 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 William Dickie for a Window Cleaner's Licence be continued to allow William Dickie another opportunity to appear before the Sub-Committee to speak in support of the application.