

CORPORATE SERVICES (LICENSING) SUB – 19 October 2011

Motherwell, 19 October 2011 at 10 am.

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

PRESENT

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

APOLOGIES

Councillors S. Love and McAuley.

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) LATE HOURS CATERING LICENCE – NEW APPLICATION - TTM PROPERTIES LIMITED PER MOHAMMED MAHMOOD

2. The Chief Solicitor advised that an application (tabled) by TTM Properties Limited per Mohammed Mahmood for a Late Hours Catering Licence in respect of the premises at King Dauds, 255 Main Street, Wishaw had been received, and (2) that an objection (tabled) to the application had been received from local residents.

The Administrative Officer then indicated that Mohammed Mahmood was not in attendance

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

The Sub-Committee then heard Derek and Suzanne Pollock outline their residents' objection to the application.

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

Derek and Suzanne Pollock and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by TTM Properties Limited per Mohammed Mahmood for a Late Hours Catering Licence be refused.

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

(a) JOSEPH HENDERSON

3. The Chief Solicitor advised (1) that an application (tabled) by Joseph Henderson 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 Connell outline Chief Constable's objection to the application and Joseph Henderson and his father, speak in support of his application.

The Sub-Committee then heard Chief Inspector Connell advise that, on behalf of the Chief Constable, he wished to withdraw the objection.

Thereafter, the applicant, his father 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 Joseph Henderson for a Private Hire Car Driver's Licence be granted.

(b) SAFWAN HANNAN

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

The Sub-Committee then heard the applicant and Chief Inspector 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 Safwan Hannan for a Private Hire Car Driver's Licence be granted.

(3) STREET TRADER'S LICENCE – NEW APPLICATION - ALEXANDER HILL

5. The Chief Solicitor advised (1) that an application (tabled) by Alexander Hill for a Street Trader's Licence to enable him to trade from a static snack van at Grange Street, Motherwell had been received, and (2) that an objection (tabled) to the application had been received from Mrs. Kathleen Laughlan, local trader.

The Administrative Officer then indicated that Kathleen Laughlan was not in attendance.

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

The Sub-Committee then heard the applicant 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 McElroy, seconded by Councillor Ferrie moved that the application by Alexander Hill for a Street Trader's Licence be granted.

Councillor Harmon, seconded by Councillor Irvine moved, as an amendment, that the application by Alexander Hill for a Street Trader's Licence be refused.

On a vote being taken, 2 Members voted for the amendment and 4 Members voted for the motion, which was accordingly declared carried.

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

(4) WINDOW CLEANER'S LICENCE – NEW APPLICATION – JAMES MUIRHEAD

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

Motherwell, 9 November 2011 at 10 am.

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

PRESENT

Councillor McAuley, Vice-Convenor; Councillors Ferrie, McElroy, McShannon 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 Bland and Sergeant Hayburn, "N" Division, Strathclyde Police.

APOLOGIES

Councillors Harmon, Hogg, Irvine and S. Love.

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) ITINERANT METAL DEALER'S LICENCE - NEW APPLICATION - ROBERT ROUGH

2. With reference to paragraph 2 of the Minute of the meeting of this Sub-Committee held on 7 September 2011, the Chief Solicitor advised that consideration of an application by Robert Rough for an Itinerant Metal Dealer'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 Robert Rough was not in attendance.

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

Decided: that the application by Robert Rough for an Itinerant Metal Dealer's Licence be refused.

(2) TAXI DRIVER'S LICENCE - RENEWAL - GORDON QUEEN

3. The Chief Solicitor advised (1) that an application (tabled) by Gordon Queen 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, Strathclyde Police.

The Sub-Committee then heard Chief Inspector Bland outline the Chief Constable's objection to the application and Gordon Queen 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 Gordon Queen for the renewal of his Taxi Driver's Licence be granted.

(3) WINDOW CLEANER'S LICENCE - NEW APPLICATION - MARK BURNS

4. The Chief Solicitor advised (1) that an application (tabled) by Mark Burns 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 Strathclyde Police had subsequently withdrawn the objection.

The Administrative Officer then indicated that Mark Burns was not in attendance.

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

Decided: that the application by Mark Burns for a Window Cleaner's Licence be granted.

Motherwell, 7 December 2011 at 2 pm.

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

PRESENT

Councillor Hogg, Convener; Councillor McAuley, Vice-Convener; Councillors Cefferty, 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 Bland and Sergeant Hayburn, "N" Division, Strathclyde Police.

APOLOGIES

Councillors S. 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) TAXI DRIVER'S LICENCE – NEW APPLICATION - ANIL KUMAR

2. The Chief Solicitor advised that an application (tabled) by Anil Kumar for a Taxi Driver's Licence had been received.

The Sub-Committee then heard the applicant and Chief Inspector Bland 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 Anil Kumar for a Taxi Driver's Licence be granted.

(2) TAXI DRIVER'S LICENCE – RENEWAL - MABEL WEIR

3. The Chief Solicitor advised that an application (tabled) by Mabel Weir for the renewal of her Taxi Driver's Licence had been received.

The Sub-Committee then heard the applicant and Chief Inspector Bland 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 Mabel Weir for the renewal of her Taxi Driver's Licence be granted for a period of one year.

(3) STREET TRADER'S LICENCE – COMPLAINT - SHARON McNAIRN

4. 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 from the Council's Licensing Enforcement Officer relative to the behaviour of Sharon McNairn who currently held a Street Trader's Licence.

The Sub-Committee then heard John Taylor, Licensing Enforcement Officer outline the complaint and Sharon McNairn speak in respect of the complaint.

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

John Taylor, Sharon McNairn and representatives of the Police were then re-admitted to the meeting.

The Sub-Committee, having determined that the complaint be upheld, heard Sharon McNairn in mitigation.

Thereafter John Taylor, Sharon McNairn and representatives of the Police again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

John Taylor, Sharon McNairn and representatives of the Police were then again re-admitted to the meeting.

Decided: that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, the Street Trader's Licence currently held by Sharon McNairn be suspended for a period of two months with immediate effect.

(4) WINDOW CLEANER'S LICENCE – NEW APPLICATION - JORDAN KERR

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

The Sub-Committee then heard Chief Inspector Bland outline the Chief Constable's objection to the application and Jordan Kerr 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 Jordan Kerr for a Window Cleaner's Licence be granted for a period of one year.

Motherwell, 10 January 2012 at 10 am.

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

PRESENT

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

APOLOGY

Councillor S. Love.

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 APPLICATION - MASTERENOS LIMITED PER CLAUDIO BALDASSARA AND MARIE BALDASSARA

2. The Chief Solicitor advised that an application (tabled) by Masterenos Limited per Claudio Baldassara and Marie Baldassara for a Late Hours Catering Licence in respect of the premises at The Centre Caffè, 3 Clyde Walk, Cumbernauld had been received.

The Sub-Committee then heard Marie Baldassara 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 Masterenos Limited per Claudio Baldassara and Marie Baldassara for a 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 – RENEWAL - GREIG ROBINSON

3. The Chief Solicitor advised (1) that an application by Greig Robinson for the renewal of his Private Hire Car Driver's Licence had been received; (2) that an objection to the application had been received from the Chief Constable, Strathclyde Police; (3) that the Chief Constable had thereafter withdrawn his objection to the application, and (4) that the application had subsequently been granted under delegated powers.

Decided: that it be noted that the application by Greig Robinson for the renewal of his Private Hire Car Driver's Licence had been granted under delegated powers.

(3) WINDOW CLEANER'S LICENCE – COMPLAINT - JAMES MUIRHEAD

4. 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 James Muirhead who currently held a Window Cleaner's Licence.

The Sub-Committee heard Chief Inspector Bland outline the Chief Constable's complaint and James Muirhead speak in respect of the complaint.

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

James Muirhead 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 James Muirhead be upheld and his Window Cleaner's Licence be suspended with immediate effect.

Motherwell, 16 January 2012 at 11 am.

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

PRESENT

Councillor Hogg, Convener; Councillor McAuley, Vice-Convener; Councillors Ferrie, 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

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

APOLOGIES

Councillors 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) STREET TRADER'S LICENCE

(a) NEW APPLICATION - PETER HART

2. The Chief Solicitor advised (1) that an application (tabled) by Peter Hart for a Street Trader's Licence to enable him to trade from a static snack van at the Cleland Club Car Park, Cleland had been received, and (2) that objections (tabled) to the application had been received from Mr. Aslam, Mrs. Hughes and Mr. Moug, local traders.

The Administrative Officer then indicated that Mr. Aslam was not in attendance.

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

The Sub-Committee then heard Mrs. Hughes and Mr. Moug outline their objections to the application and Peter Hart speak in support of his application.

Thereafter, the applicant, Mrs. Hughes, Mr. Moug 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 Peter Hart for a Street Trader's Licence be granted.

(b) RENEWAL - PATRICIA HARDY

3. The Chief Solicitor advised (1) that an application (tabled) by Patricia Hardy for the renewal of her Street Trader's Licence to enable her to trade from a static snack van at land to the west of 53 Waverley Drive, Wishaw had been received, and (2) that an objection (tabled) to the application had been received from the Executive Director of Learning and Leisure Services.

The Sub-Committee then heard Paul Corrigan, Education Officer, outline the Executive Director of Learning and Leisure Services' objections to the application and Mr. Hardy speak in support of his wife's application.

Thereafter, Mr. Hardy, Paul Corrigan 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 Patricia Hardy for the renewal of her Street Trader's 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 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 - NEIL ROBERTSON

4. 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 Neil Robertson who currently held a Taxi Driver's Licence.

The Sub-Committee heard Chief Inspector Fitzpatrick outline the Chief Constable's complaint and Neil Robertson speak in respect of the complaint.

Thereafter, Chief Inspector Fitzpatrick and Neil Robertson withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Chief Inspector Fitzpatrick and Neil Robertson 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 Neil Robertson be upheld and that his Taxi Driver's Licence be suspended with immediate effect.