

Motherwell, 24 February 2016 at 10 am.

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

PRESENT

Councillor W. Hogg, Convener; Councillors Bonnar, Farooq, Irvine, Love, McVey, P. O'Rourke 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

Sergeant Tomlinson, Lanarkshire Division, Police Scotland.

APOLOGIES

Councillors McKendrick and Nolan.

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

1. Councillor W. Hogg declared an interest in paragraphs 2 and 3 below as the Licence holder was known to him, vacated 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

Councillor W. Hogg having declared an interest in the following two items of business by reason of the Licence holder being known to him withdrew from the meeting and took no part in the consideration thereof.

Councillor McVey assumed the Chair.

(1) PRIVATE HIRE CAR DRIVER'S LICENCE AND PRIVATE HIRE CAR LICENCE – COMPLAINT - BRENDAN MURPHY

2. 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 Brendan Murphy, who currently held a Private Hire Car Licence.

The Sub-Committee then heard Sergeant Tomlinson outline the Chief Constable's complaint and Brendan Murphy speak in respect of the complaint.

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

Thereafter, Brendan Murphy 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 Brendan Murphy be not upheld.

(2) PRIVATE HIRE CAR DRIVER'S LICENCE – RENEWAL - BRENDAN MURPHY

3. With reference to the preceding paragraph, the Acting Manager Solicitor advised (1) that an application (tabled) by Brendan Murphy 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 Tomlinson outline the Chief Constable's objection to the application and Brendan Murphy 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 Brendan Murphy for the renewal of his Private Hire Car Driver's Licence be granted.

Councillor W. Hogg resumed the Chair.

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

(a) ROBERT MACDONALD

4. The Acting Managing Solicitor advised (1) that an application by Robert MacDonald 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, Police Scotland.

The Administrative Services Officer then indicated that Robert MacDonald 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 Robert MacDonald 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.

(b) ROBERT O'NEILL

5. The Acting Managing Solicitor advised (1) that an application (tabled) by Robert O'Neill 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 Sergeant Tomlinson outline the Chief Constable's objection to the application and Robert O'Neill 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 Robert O'Neill for a Private Hire Car Driver's Licence be granted.

(c) MARTIN RAFFERTY

6. The Acting Managing Solicitor advised (1) that an application (tabled) by Martin Rafferty 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 Sergeant Tomlinson outline the Chief Constable's objection to the application and Martin Rafferty 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 Martin Rafferty for a Private Hire Car Driver's Licence be granted.

(4) STREET TRADER'S LICENCE – NEW APPLICATION - COLIN DICKSON

7. The Acting Managing Solicitor advised (1) that an application (tabled) by Colin Dickson for a Street Trader's Licence to enable him to be employed in a wheeled bin cleaning service, North Lanarkshire wide, 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 Tomlinson outline the Chief Constable's objection to the application and Colin Dickson 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 Colin Dickson for a Street Trader's Licence be granted for a period of one year.

(5) WINDOW CLEANER'S LICENCE – NEW APPLICATION - JASON TALBOT

8. The Acting Managing Solicitor advised (1) that an application (tabled) by Jason Talbot 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 Sergeant Tomlinson outline the Chief Constable's objection to the application and Jason Talbot 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 Jason Talbot for a Window Cleaner's Licence be refused.