

Motherwell, 6 April 2016 at 10 am.

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

PRESENT

Councillor W. Hogg, Convener; Councillors Chadha, Irvine, Majid, McVey 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 Litigations).

ALSO IN ATTENDANCE

Chief Inspector Bland, Lanarkshire Division, Police Scotland.

APOLOGIES

Councillor Bonnar, Farooq, McKendrick, McLaren and Sullivan.

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

1. Councillor McVey declared an interest in paragraph 4 below by reason of the applicant being known to her 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

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

(1) PRIVATE HIRE CAR DRIVER'S LICENCE – NEW APPLICATION - BERTHIN KAMBELE

2. The Acting Managing Solicitor advised that an application (tabled) by Berthin Kambele for a Private Hire Car Driver's Licence had been received.

The Sub-Committee then heard Chief Inspector Bland and the applicant speak in respect of the 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 Berthin Kambele for a Private Hire Car Driver's Licence be granted.

(2) PRIVATE HIRE CAR LICENCE – RENEWALS

(a) COLIN DUNIGAN

3. The Acting Managing Solicitor advised (1) that an application (tabled) by Colin Dunigan for the renewal of his Private Hire Car Licence had been received, and (2) that Colin Dunigan 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 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 Dunigan for the renewal of his Private Hire Car Licence be granted to 29 June 2016.

Councillor McVey having declared an interest in the following item of business by reason of the applicant being known to her withdrew from the meeting and took no part in the consideration thereof.

(b) MARTIN JONES

4. The Acting Managing Solicitor advised (1) that an application (tabled) by Martin Jones for the renewal of his Private Hire Car Licence had been received, and (2) that Martin Jones 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 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 Jones for the renewal of his Private Hire Car Licence be granted to 31 January 2017.

(3) TAXI OPERATOR'S LICENCE – NEW APPLICATION - BRENDA BRODIE AND PAUL O'NEILL

5. The Acting Managing Solicitor advised (1) that an application (tabled) by Brenda Brodie and Paul O'Neill for a Taxi Operator's Licence had been received, and (2) of the background relative thereto.

The Sub-Committee then heard the Paul O'Neill speak in respect of the application.

Thereafter, Brenda Brodie, Paul O'Neill and the representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Brenda Brodie, Paul O'Neill and the representative of the Police were then re-admitted to the meeting.

Decided: that the application by Brenda Brodie and Paul O'Neill for a Taxi Operator's Licence be granted subject to the conditions set out by the Head of Business for Legal and Democratic Solutions.

(4) WINDOW CLEANER'S LICENCE – NEW APPLICATION - NEIL FEENEY

6. The Acting Managing Solicitor advised (1) that an application (tabled) by Neil Feeney 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 Chief Inspector Bland outline the Chief Constable's objection to the application and Neil Feeney speak in respect of the 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 Neil Feeney for a Window Cleaner's Licence be granted.

(5) WINDOW CLEANER'S LICENCE – BREACH OF LICENCE CONDITION

(a) ANDREW BOUGH

7. The Acting Managing Solicitor advised that Andrew Bough, who currently held a Window Cleaner's Licence, had allegedly breached a condition of his licence by not submitting to the Council a copy of his public liability insurance.

The Administrative Officer then indicated that Andrew Bough was not in attendance.

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

Decided: that, in terms of paragraph 11 of the Civic Government (Scotland) Act 1982, the Window Cleaner's Licence currently held by Andrew Bough be suspended, with immediate effect, for the unexpired duration of the licence.

(b) CHRISTOPHER BURGOYNE

8. The Acting Managing Solicitor advised that Christopher Burgoyne, who currently held a Window Cleaner's Licence, had allegedly breached a condition of his licence by not submitting to the Council a copy of his public liability insurance and that Christopher Burgoyne had subsequently submitted the policy.

Decided: that it be noted that Christopher Burgoyne had submitted to the Council a copy of his public liability insurance.

(c) SCOTT DALLAS

9. The Acting Managing Solicitor advised that, Scott Dallas who currently held a Window Cleaner's Licence, had allegedly breached a condition of his licence by not submitting to the Council a copy of his public liability insurance.

The Administrative Officer then indicated that Scott Dallas was not in attendance.

Thereafter, the Sub-Committee resumed consideration of the matter in Scott Dallas' absence.

Decided: that, in terms of paragraph 11 of the Civic Government (Scotland) Act 1982, the Window Cleaner's Licence currently held by Scott Dallas be suspended, with immediate effect, for the unexpired duration of the licence.

(d) PETER JACKSON

10. The Acting Managing Solicitor advised that Peter Jackson, who currently held a Window Cleaner's Licence, had allegedly breached a condition of his licence by not submitting to the Council a copy of his public liability insurance and that Peter Jackson had subsequently submitted the policy.

Decided: that it be noted that Peter Jackson had submitted to the Council a copy of his public liability insurance.

(e) JOHN KERR

11. The Acting Managing Solicitor advised that John Kerr, who currently held a Window Cleaner's Licence, had allegedly breached a condition of his licence by not submitting to the Council a copy of his public liability insurance.

The Administrative Officer then indicated that John Kerr was not in attendance.

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

Decided: that, in terms of paragraph 11 of the Civic Government (Scotland) Act 1982, the Window Cleaner's Licence currently held by John Kerr be suspended, with immediate effect, for the unexpired duration of the licence.

(6) PRIVATE HIRE CAR DRIVER'S LICENCE – COMPLAINT - DAVID HENDERSON

12. With reference to paragraph 5 of the Minute of the meeting of this Sub-Committee held on 16 March 2016, 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 David Henderson who currently held a Private Hire Car Driver's Licence.

The Administrative Officer then indicated that David Henderson was not in attendance.

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

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

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

The representative of the Police was then re-admitted to the meeting.

Decided: that, having determined that the complaint be upheld, agreed that the Private Hire Car Driver's Licence currently held by David Henderson be suspended, with immediate effect, for the unexpired duration of the licence.

(7) PRIVATE HIRE CAR DRIVER'S LICENCE – NEW APPLICATION - JAMES SMITH

13. The Acting Managing Solicitor advised that an application by James Smith for a Private Hire Car Driver's Licence had been received.

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

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

Decided: that consideration of the application by James Smith 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 respect of the application.