

Motherwell, 14 June 2007 at 9.30 am.

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

PRESENT

Councillor Hogg, Convener; Councillors Clarke, Harmon, Homer, Irvine and McElroy.

CHAIR

Councillor Hogg (Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

Superintendent Hamilton and Sergeant Harkin, "N" Division, Strathclyde Police.

APOLOGIES

Councillors Cefferty, S. Love and McAuley.

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.

CHAIR'S REMARKS

1. The Chair referred to the training event on the Civic Government (Scotland) Act 1982 which had been held on 8 June 2007. Members subsequently requested that a further date be identified to afford another opportunity for Members to be in attendance.

Decided: that a further training event on the Civic Government (Scotland) Act 1982 be held on a date to be arranged.

HEARINGS

(1) TAXI DRIVER'S LICENCE - NEW APPLICATION - JAMES WOLLOSHIN, 35 COALHALL AVENUE, MOTHERWELL

2. With reference to paragraph 3 of the Minute of the meeting of this Sub-Committee held on 24 May 2007, the Chief Solicitor (Licensing) advised that consideration of an application (tabled) by James Wolloshin, 35 Coalhall Avenue, Motherwell for a Taxi 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 Hamilton 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 James Wolloshin for a Taxi Driver's Licence be granted.

**(2) MARKET OPERATOR'S LICENCE - NEW APPLICATION - IAN RUSSELL,
13 ORCHARDVIEW DRIVE, KIRKFIELD BANK, LANARK**

3. The Chief Solicitor (Licensing) advised (1) that an application (tabled) by Ian Russell, 13 Orchardview Drive, Kirkfieldbank, Lanark for a Market Operator's Licence in respect of the premises at 29-43 Young Street, Wishaw had been received, and (2) that a late objection to the application had been received from the Executive Director of Environmental Services.

The Administrative Officer then indicated that Ian Russell was not in attendance.

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

The Sub-Committee then heard Mr. Dyer, Transportation Section explain the reasons for the Executive Director of Environmental Services' objection being submitted late.

The Sub-Committee then heard Mr. Dyer outline the Executive Director of Environmental Services' objection to the application (tabled).

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

Mr. Dyer and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Ian Russell for a Market Operator's Licence be refused.

(3) STREET TRADER'S LICENCE - NEW APPLICATIONS

(a) ANN PATERSON, 1 BRANNOCK AVENUE, NEWARTHILL

4. The Chief Solicitor (Licensing) advised (1) that an application (tabled) by Ann Paterson, 1 Brannock Avenue, Newarthill for a Street Trader's Licence to enable her to trade from a static snack van in the car park, Carfin Road, Newarthill had been received; (2) that objections (tabled) to the application had been received from (a) the Head of Education Resources, Learning and Leisure Services; (b) S. and J. Feleccia, Sals Fast Foods; (c) R.S. Rankin, Bakers Oven, and (d) Margaret McCrae, S. McLean, Mrs. Marshall, Margaret Morrissey, Mrs. Paterson and Helen Watters, local residents, and (3) that a petition against the application, signed by a further nine local residents, had been received.

The Administrative Officer then indicated that the Head of Education Resources, S. and J. Feleccia, R.S. Rankin, Margaret McCrae, S. McLean, Margaret Morrissey, Mrs. Paterson and Helen Watters were not in attendance and that Margaret McCrae had submitted a letter requesting that Mr. Hussain speak on her behalf.

The Sub-Committee then heard Mr. Hussain, petitioner and also on behalf of Margaret McCrae, Mr. Mimnaugh, petitioner and Mrs. Marshall, local resident, outline their objections to the application and Ann Paterson's agent, Mr. Grant, Jack Grant, Solicitors speak in support of the application and table a petition signed by 199 local residents in support of the application together with a letter from Douglas Battison in support of Ann Paterson's character.

Thereafter, the applicant, Mr. Grant, Mr. Hussain, Mr. Mimnaugh, Mrs. Marshall and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant, Mr. Grant, Mr. Hussain, Mr. Mimnaugh, Mrs. Marshall and representatives of the Police were then re-admitted to the meeting.

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

(b) NORMAN AND KIM TALBOT, 226 O'WOOD AVENUE, HOLYTOWN

5. The Chief Solicitor (Licensing) advised (1) that an application (tabled) by Norman and Kim Talbot, 226 O'Wood Avenue, Holytown for a Street Trader's Licence to enable them to trade from a static snack van at 315-317 Orbiston Street, Motherwell had been received, and (2) that an objection (tabled) to the application had been received from the Executive Director of Environmental Services.

The Administrative Officer then indicated that Kim Talbot was not in attendance.

The Sub-Committee then heard Mr. Dyer, Transportation Section, Environmental Services outline the Executive Director of Environmental Services' objections to the application and Norman Talbot speak in support of the application.

Thereafter, the applicant, Mr. Dyer and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant, Mr. Dyer and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Norman and Kim Talbot for a Street Trader's Licence be granted.

(4) WINDOW CLEANER'S LICENCE – BREACH OF LICENCE CONDITION - ARCHIBALD THOMSON, 61 LAUREL DRIVE, WISHAW

6. The Chief Solicitor (Licensing) advised that Archibald Thomson, 61 Laurel Drive, Wishaw, 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 Archibald Thomson was not in attendance.

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

Decided: that the Window Cleaner's Licence currently held by Archibald Thomson be suspended for the unexpired duration of the Licence.