

**Motherwell, 19 September 2007 at 9.30 am.**

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

**PRESENT**

Councillor McAuley, Vice-Convener; Councillors Irvine and McElroy.

**CHAIR**

In the absence of Councillor Hogg (Convener) Councillor McAuley presided.

**IN ATTENDANCE**

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

**ALSO IN ATTENDANCE**

Chief Inspector Young and Sergeant Harkin, "N" Division, Strathclyde Police.

**APOLOGIES**

Councillors Cefferty, Clarke, Harmon, Hogg 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) PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATION - STEPHEN BROWN, 46 LIME CRESCENT, ABRONHILL, CUMBERNAULD**

2. The Chief Solicitor advised (1) that consideration of an application by Stephen Brown, 46 Lime Crescent, Abronhill, Cumbernauld for a Private Hire Car Driver's Licence had been received, and (2) of the background relative thereto.

The Administrative Officer then indicated that Stephen Brown 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 Brown 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.

**(2) SECOND HAND DEALER'S LICENCE - NEW APPLICATION - ROBERT McKEIRNAN,  
10 GRAHAMSHILL STREET, AIRDIRE**

3. The Chief Solicitor advised (1) that consideration of an application (tabled) by Robert McKeirnan, 10 Grahamshill Street, Airdrie for a Second Hand Dealer's Licence to enable him to trade in second hand car sales at 128 Main Street, Chapelhall had been received; (2) that an objection to the application had been received from the Executive Director of Environmental Services, and (3) that the Executive Director of Environmental Services had also made observations on parking provision.

The Administrative Officer then indicated that Robert McKiernan was not in attendance.

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

The Sub-Committee then heard Mr. Rennie, Building Standards Section advise that the Executive Director of Environmental Services wished to withdraw his objection to the application as the applicant had subsequently submitted the relevant paperwork requested.

**Decided:**

- (1) that it be noted that the Executive Director of Environmental Services had withdrawn his objection to the application, and
- (2) that the application by Robert McKiernan for a Second Hand Dealer's Licence be granted, subject to the conditions proposed by the Executive Director of Environmental Services on parking provision.

**SUSPENSION HEARINGS**

**(1) TAXI DRIVER'S LICENCE - COMPLAINTS**

**(a) MICHAEL ANDERSON, 19 SANDYKNOWES ROAD, SOUTH CARBRAIN, CUMBERNAULD**

4. With reference to paragraph 7 of the Minute of the meeting of this Sub-Committee held on 8 August 2007, 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 Mr. and Mrs. Fyfe, 28 Castle Court, Castlecary, Cumbernauld relative to the behaviour of Michael Anderson, 19 Sandyknowes Road, South Carbrain, Cumbernauld who currently held a Taxi Driver's Licence.

The Administrative Officer then indicated that Mr. and Mrs. Fyfe were not in attendance.

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

The Sub-Committee then heard Michael Anderson speak in respect of the complaint and table a letter in support of his character from Mr. Jeffrey, Managing Director, Central Cab Company (Cumbernauld) Limited.

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

Mr. Anderson and representatives 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 relative to the behaviour of Michael Anderson, who currently held a Taxi Driver's Licence, be not upheld.

**(b) JAMES MCKAY, 26 GLENHOVE ROAD, CUMBERNAULD**

5. With reference to paragraph 9 of the Minute of the meeting of this Sub-Committee held on 29 August 2007, 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 Chief Constable, Strathclyde Police relative to the behaviour of James McKay, 26 Glenhove Road, Cumbernauld who currently held a Taxi Driver's Licence.

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

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

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

**Decided:** that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, the Taxi Driver's Licence currently held by James McKay be suspended for the unexpired duration of the Licence.

**(2) SECOND HAND DEALER'S LICENCE - COMPLAINT - ROSS S G HENDERSON, 6 DUKE STREET, NEWMAINS**

6. 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 Officers relative to the behaviour of Ross S G Henderson, 6 Duke Street, Newmains who currently held a Second Hand Dealer's Licence trading from the premises at 42 Main Street, Chapelhall.

The Sub-Committee heard Robert Sommerville, Licensing Enforcement Officer, outline his complaint and Ross Henderson and his brother-in-law, Chris Jones, speak in respect of the complaint.

Thereafter, Ross Henderson, Chris Jones, Robert Sommerville and representatives of the police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Ross Henderson, Chris Jones, Robert Sommerville and representatives of the Police were then re-admitted to the meeting.

**Decided:** that consideration of the complaint relative to the behaviour of Ross Henderson be continued for a site visit and further hearing.