

Motherwell, 7 September 2016 at 10 am.

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

PRESENT

Councillor W. Hogg, Convener; Councillors Chadha, Farooq, Irvine, Majid, McKendrick and McLaren.

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, Police Scotland.

APOLOGIES

Councillors Bonnar, Curley, McVey, P. O'Rourke 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 - COMPLAINT - IAN GLATELY

2. The Acting Managing Solicitor advised that, in terms of paragraph 12 of Schedule 1 of the Civic Government (Scotland) Act 1982, a complaint had been received from the Chief Constable, Police Scotland relative to the behaviour of Ian Glately who currently held a Taxi Driver's Licence.

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

The Sub-Committee resumed consideration of the complaint in Ian Glately's absence.

The Sub-Committee then heard Sergeant Tomlinson outline the Chief Constable's complaint (tabled).

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, in terms of paragraph 12 of Schedule 1 of the Civic Government (Scotland) Act 1982, the Taxi Driver's Licence currently held by Ian Glately be suspended, with immediate effect, for the unexpired duration of the licence.

(2) PRIVATE HIRE CAR DRIVER'S LICENCE – COMPLAINT - MARIWAN AHMAD

3. With reference to paragraph 3 of the Minute of the Special meeting of this Sub-Committee held on 4 August 2016, when it was agreed that the complaint (tabled) by the Chief Constable, relative to the behaviour of Mariwan Ahmad who currently held a Private Hire Car Driver's Licence be not upheld, the Acting Managing Solicitor advised that, in terms of paragraph 12(5) of Schedule 1 of the Civic Government (Scotland) Act 1982, further consideration required to be given to the matter.

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

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

Mariwan Ahmad and the representative of the Police were then re-admitted to the meeting.

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

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

Mariwan Ahmad and the representative of the Police were again re-admitted to the meeting.

Decided: that, in terms of paragraph 12(5) of Schedule 1 of the Civic Government (Scotland) Act 1982, the Private Hire Car Driver's Licence currently held by Mariwan Ahmad be not suspended on the understanding that the Head of Business for Legal and Democratic Solutions issue Mariwan Ahmad with a letter warning him as to his future conduct.

(3) PRIVATE HIRE CAR OPERATOR'S LICENCE - NEW APPLICATION - MARIWAN AHMAD

4. With reference to the preceding paragraph, the Acting Managing Solicitor advised (1) that an application (tabled) by Mariwan Ahmad for a Private Hire Car Operator'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 Mariwan Ahmad 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 Mariwan Ahmad for a Private Hire Car Operator's Licence be granted for a period of one year.

(4) PRIVATE HIRE CAR DRIVER'S LICENCE – NEW APPLICATIONS

(a) IAN ALEXANDER

5. The Acting Managing Solicitor advised (1) that an application (tabled) by Ian Alexander 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 Ian Alexander 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 Ian Alexander for a Private Hire Car Driver's Licence be granted for a period of one year.

(b) HARRY DOW

6. The Acting Managing Solicitor advised (1) that an application (tabled) by Harry Dow 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 objections to the application and Harry Dow's agent, James Moore, Moore and McDonald, Solicitors, speak in support of the application and table information in mitigation.

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

The applicant, James Moore and the representative of the Police were then re-admitted to the meeting.

Decided: that the application by Harry Dow for a Private Hire Car Driver's Licence be granted for a period of one year.

(c) CHRISTOPHER REILLY

7. The Acting Managing Solicitor advised (1) that an application (tabled) by Christopher Reilly 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 Christopher Reilly and Lynn Adam, Uddingston and Bellshill Private Hire speak in support of the application.

Thereafter, the applicant, Lynn Adam 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 for Christopher Reilly for a Private Hire Car Driver's Licence be granted for a period of one year.

(5) TAXI OPERATOR'S LICENCE – RENEWAL - JOHN McCAFFERTY AND GERARD TAYLOR

8. The Acting Managing Solicitor advised (1) that an application (tabled) by John McCafferty and Gerard Taylor for the renewal of their Taxi Operator'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 John McCafferty and Gerard Taylor's agent, Andrew Steven, Watters Steven and Company, Solicitor, speak in support of the application.

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

The applicants and the representative of the Police were then re-admitted to the meeting.

Decided: that the application by John McCafferty and Gerard Taylor for the renewal of their Taxi Operator's Licence be granted for a period of one year from the date of the meeting of the Sub-Committee.

(6) TAXI DRIVER'S LICENCE - RENEWAL - GERARD TAYLOR

9. With reference to the preceding paragraph, the Acting Managing Solicitor advised (1) that an application (tabled) by Gerard Taylor 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, Police Scotland.

The Sub-Committee then heard Sergeant Tomlinson outline the Chief Constable's objection to the application and Andrew Steven speak in support of the application.

Thereafter, the applicant, Andrew Steven 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 Gerard Taylor for the renewal of his Taxi Driver's Licence be granted for a period of one year.

(7) SECOND HAND DEALER'S LICENCE - RENEWAL - NORMAN BOYD

10. The Acting Managing Solicitor advised (1) that an application (tabled) by Norman Boyd for the renewal of his Second Hand Dealer's Licence in respect of the premises at Goldcraft, 16A Manse Road, Newmains 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 objections to the application and Norman Boyd's agent, John Roberts, Austin Lafferty, Solicitors, speak in support of the application.

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

The applicant, John Roberts and the representative of the Police were then re-admitted to the meeting.

Decided: that the application by Norman Boyd for the renewal of his Second Hand Dealer's Licence be granted.