

**Motherwell, 7 December 2016 at 10 am.**

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

**PRESENT**

Councillor W. Hogg, Convener; Councillors Chadha, Curley, Irvine, McLaren, H. McVey, P. O'Rourke and Sullivan.

**CHAIR**

Councillor W. Hogg (Convener) presided.

**IN ATTENDANCE**

The Administrative Officer and Acting Managing Solicitor, Legal and Democratic Solutions.

**ALSO IN ATTENDANCE**

Sergeant Tomlinson, Police Scotland.

**APOLOGIES**

Councillors Bonnar, Farooq and McKendrick.

**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**

**(a) COMPLAINT - STEPHEN SMITH**

2. With reference to paragraph 2 of the Minute of the meeting of this Sub-Committee held on 23 November 2016, when it was agreed that the complaint by the Chief Constable, relative to the behaviour of Stephen Smith be upheld and that his Private Hire Car Driver's Licence be suspended, with immediate effect, for a period not exceeding six weeks, the Acting Managing Solicitor advised that, in terms of paragraph 12 of Schedule 1 of the Civic Government (Scotland) Act 1982, further consideration required to be given to the matter.

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

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

**Decided:** that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, Stephen Smith's Private Hire Car Driver's Licence be suspended, with immediate effect, for the unexpired duration of the licence.

**(b) NEW APPLICATIONS**

**(A) DAVID DOYLE**

3. The Acting Managing Solicitor advised (1) that an application (tabled) by David Doyle 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 David Doyle and his wife, Allyson Doyle, speak in support of the application.

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

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

**Decided:** that the application by David Doyle for a Private Hire Car Driver's Licence be refused.

**(B) VINY HERGE ILUNGA**

4. The Acting Managing Solicitor advised (1) that an application (tabled) by Viny Herge Ilunga 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 Viny Herge Ilunga 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.

Councillor Sullivan, seconded by Councillor Chadha, moved that the application by Viny Herge Ilunga for a Private Hire Car Driver's Licence be granted for a period of one year.

Councillor P. O'Rourke, seconded by Councillor Hogg, moved, as an amendment, that the application by Viny Herge Ilunga 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 the application.

On a vote being taken, 5 Members voted for the amendment and 3 Members voted for the motion. The amendment was accordingly declared carried.

**Decided:** that consideration of the application be continued to allow Viny Herge Ilunga another opportunity to appear before the Sub-Committee to speak in support of the application.

**(C) HARDEEP SINGH**

5. The Acting Managing Solicitor advised (1) that an application (tabled) by Hardeep Singh for a Private Hire Car Driver's Licence had been received, and (2) that a late objection to the application had been received from the Chief Constable, Police Scotland.

The Administrative Officer then indicated that Hardeep Singh was not in attendance.

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

The Sub-Committee then heard Sergeant Tomlinson explain the reason for the Chief Constable's objection being submitted late.

The Sub-Committee, having determined that the late objection be considered, heard Sergeant Tomlinson outline the Chief Constable's objection to the application.

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 the application by Hardeep Singh for a Private Hire Car Driver's Licence be refused.

**(2) METAL DEALER'S LICENCE - NEW APPLICATION - JAMES MILNE AND DEAN MILNE, T/A COATDYKE METALS PARTNERSHIP**

6. The Acting Managing Solicitor advised (1) that an application (tabled) by James Milne and Dean Milne, t/a Coatdyke Metals Partnership for a Metal Dealer's Licence to enable them to trade in metal cleaning and stripping business had been received, and (2) that an objection (tabled) to the application had been received from the Chief Constable, Police Scotland.

The Administrative Officer then indicated that Dean Milne was not in attendance.

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

The Sub-Committee then heard Sergeant Tomlinson outline the Chief Constable's objection to the application and James Milne and his wife, Teresa Milne, speak in support of the application.

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

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

**Decided:** that the application by James Milne and Dean Milne for a Metal Dealer's Licence be granted.

**(3) SECOND HAND DEALER'S LICENCE - RENEWAL - COLIN WRIGHT SENIOR AND COLIN WRIGHT JUNIOR, T/A CW SPECIALIST CARS LIMITED**

7. The Acting Managing Solicitor advised (1) that an application (tabled) by Colin Wright Senior and Colin Wright Junior, t/a CW Specialist Cars Limited for the renewal of their Second Hand Dealer's Licence in respect of the second hand car sales premises at Clamp Road, Etna Industrial Estate, Wishaw 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 Wright Senior and Colin Wright Junior's agent, Jack Grant, Jack Grant and Company, Solicitors, speak in support of the application.

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

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

**Decided:** that consideration of the application be continued to allow Colin Wright Senior and Colin Wright Junior another opportunity to appear before the Sub-Committee to speak in respect of the application.

**(4) WINDOW CLEANER'S LICENCE – NEW APPLICATION - MARTIN McGUINNESS**

8. The Acting Managing Solicitor advised (1) that an application by Martin McGuinness for a Window Cleaner's Licence had been received; (2) that an objection to the application had been received from the Chief Constable, Police Scotland; (3) that the Chief Constable had thereafter withdrawn his objection to the application, and (4) that the application had subsequently been granted under delegated powers.

**Decided:** that it be noted that the application by Martin McGuinness for a Window Cleaner's Licence had been granted under delegated powers.