

Motherwell, 1 February 2017 at 10 am.

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

PRESENT

Councillor W. Hogg, Convener; Councillors Chadha, McLaren, and Sullivan.

CHAIR

Councillor W. Hogg (Convener) presided.

IN ATTENDANCE

Acting Managing Solicitor (Licensing and Litigation) and the Administrative Officer, and Legal and Democratic Solutions.

ALSO IN ATTENDANCE

Sergeant Tomlinson, Police Scotland.

APOLOGIES

Councillors Farooq, Majid, McKendrick, H. McVey, and P. O'Rourke

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 3 and 6 of Part 1 of Schedule 7A of the Act.

HEARINGS

(1) PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATIONS

(a) VINY HERGE ILUNGA

2. With reference to paragraph 4 of the Minute of the meeting of this Sub-Committee held on 7 December 2016, the Acting Managing Solicitor advised (1) that consideration of an application (tabled) by Viny Herge Ilunga for a Private Hire Car 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, and (2) that an objection to the application had been received from the Chief Constable, Police Scotland.

The Administrative Officer then indicated that Viny Herge Ilunga 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 outline the Chief Constable's objection to the application (both 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 the application by Viny Herge Ilunga for a Private Hire Car Driver's Licence be granted for a period of 1 year.

(b) MARCO ANDREONI

3. The Acting Managing Solicitor advised (1) that an application (tabled) by Marco Andreoni 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 Marco Andreoni's agent, Mark Lunny, Lunny and Company, Solicitors, speak in support of the application.

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

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

Decided: that the application by Marco Andreoni for a Private Hire Car Driver's Licence be refused.

(2) PRIVATE HIRE CAR DRIVER'S LICENCE AND PRIVATE HIRE CAR OPERATOR'S LICENCE - COMPLAINT - DAVID MILNE

4. The Acting Managing Solicitor advised that, in terms of paragraph 12 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 Milne who currently held a Private Hire Car Driver's Licence and a Private Hire Car Operator's Licence.

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

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

David Milne and the representative of the Police were then re-admitted to the meeting.

Decided: that, in terms of paragraph 12 of Schedule 1 of the Civic Government (Scotland) Act 1982, the complaint by the Chief Constable relative to the behaviour of David Milne be not upheld.

(3) LATE HOURS CATERING LICENCE - NEW APPLICATION - MORRISON'S DAILY PETROL FILLING STATION

5. The Acting Managing Solicitor advised (1) that an application (tabled) by Morrison's Daily Petrol Filling Station for a Late Hours Catering Licence in respect of the premises at 160 Kirk Road, Wishaw had been received, and (2) that an objection (tabled) to the application had been received from Mr and Mrs Lindsay, local residents.

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

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

The Sub-Committee then heard Morrison's Agent, Archie McIver, Brunton Miller, Solicitors speak in support of the application.

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

Archie McIver, and the representative of the Police were then re-admitted to the meeting.

Decided: that the application by Morrison's Daily Petrol Filling Station for a Late Hours Catering Licence be granted.

(4) SECOND HAND DEALER'S LICENCE - RENEWALS

(a) MARTIN WHITE

6. With reference to paragraph 4 of the Minute of the meeting of this Sub-Committee held on 11 January 2017, the Acting Managing Solicitor advised (1) that consideration of an application (tabled) by Martin White for the renewal of his Second Hand Dealer's Licence in respect of the second hand car sales premises at 287 Dundyvan Road, Coatbridge had been continued to allow the applicant another opportunity to appear before the Sub-Committee to speak in support of his application, 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 Martin White's agent, Andrew Hunter, Harper McLeod, Solicitors speak in support of the application.

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

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

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

(b) COLIN WRIGHT SENIOR AND COLIN WRIGHT JUNIOR T/A CW SPECIALIST CARS LTD

7. With reference to paragraph 7 of the Minute of the meeting of this Sub-Committee held on 7 December 2016, the Acting Managing Solicitor advised (1) that consideration of an application (tabled) by Colin Wright Senior and Colin Wright Junior, T/A CW Specialist Cars Ltd 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 continued to allow the applicants an opportunity to

appear before the Sub-Committee to speak in support of their application, 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 applicants, Jack Grant and the representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

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

Decided: that the application by Colin Wright Senior and Colin Wright Junior for the renewal of their Second Hand Dealer's Licence be granted.

(5) STREET TRADER'S LICENCE - RENEWAL - GRAHAM WADDELL

8. With reference to paragraph 8 of the Minute of the meeting of this Sub-Committee the Acting Managing Solicitor advised (1) that consideration of an application (tabled) by Graham Waddell for the renewal of a Street Trader's Licence to enable him to trade as a Wheeled Bin Cleaning Service, throughout North Lanarkshire had been continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application, 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 Graham Waddell's agent, Stephen Fox, Ross Fox, Solicitors speak in support of the application.

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

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

Decided: that the application by Graham Waddell for the renewal of his Street Trader's Licence be granted.