

Motherwell, 22 February 2017 at 10 am.

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

PRESENT

Councillors Chadha, Curley, Irvine, McLaren and Sullivan.

CHAIR

In the absence of Councillor W. Hogg, Councillor Chadha presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

John Waddell, Police Scotland.

APOLOGIES

Councillors W.Hogg, McKendrick 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 item 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

The Chair exercised his discretion to vary the order of business as hereinafter Minuted.

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

2. The Acting Managing Solicitor advised (1) that an application (tabled) by Saleem Masih 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 John Waddell outline the Chief Constable's objection to the application and Saleem Masih 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 Saleem Masih for a private hire car driver's licence be refused.

(2) PUBLIC ENTERTAINMENT LICENCE – NEW APPLICATION - JOANNA MILLAR, MILLAR CAMPBELL, SOLICITORS FOR KUMAR SUNIL BHALLA, AND VIKRANT SOOD T/A SOPHYAAN (UK) LIMITED

3. The Acting Managing Solicitor advised (1) that an application (tabled) by Joanna Millar, Millar Campbell for Kumar Sunil Bhalla, and Vikrant Sood T/A Sophyaan (UK) Limited for a Public Entertainment Licence in respect of a soft play area on the first floor, 57/59 Kirk Street, Wishaw had been received and (2) that an objection (tabled) to the application had been received from the Council's Building Standards.

The Sub-Committee then heard Alan Marks, Senior Building Standards Surveyor outline Building Standards objection to the application and Joanna Millar speak in support of the application.

The Sub-Committee then heard Joanna Millar indicate that, on behalf of her clients, she wished to withdraw the application.

Decided: that it be noted that Joanna Millar, on behalf of her clients, had withdrawn the application for a public entertainment licence.

(3) TAXI DRIVER'S LICENCE AND TAXI OPERATOR'S LICENCE – COMPLAINT - GERARD TAYLOR

4. The Acting Managing 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, Police Scotland relative to the behaviour of Gerard Taylor who currently held a Taxi Driver's Licence and Taxi Operators Licence.

The Sub-Committee then heard John Waddell outline the Chief Constable's complaint and Gerard Taylor's agents Andrew Steven, Watters Steven and Company, Solicitors and John McCafferty speak in respect of the complaint.

Thereafter, Gerard Taylor, Andrew Steven and John McCafferty and the representative of the police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Gerard Taylor, Andrew Steven, John McCafferty and the representative of the police were then readmitted to the meeting.

Decided: that in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, the complaint by the Chief Constable relative to the behaviour of Gerard Taylor be not upheld.

(4) STREET TRADER'S LICENCE – NEW APPLICATION - SCOTT RYAN McDONALD

5. The Acting Managing Solicitor advised (1) that an application by Scott Ryan McDonald for a Street Trader's Licence to enable him to trade in mobile hot and cold food sales, North Lanarkshire wide had been received and (2) that a late objection to the application had been received from the Chief Constable, Police Scotland.

The Sub-Committee then heard John Waddell explain the reason for the Chief Constable's objection to the application being submitted late and Scott Ryan McDonald indicate that he had no objection to the late objection being considered.

The Sub-Committee then heard John Waddell outline the Chief Constable's objection to the application (both tabled) and Scott Ryan McDonald's agent Michael McDougall, TLT Solicitors, speak in support of the application.

Thereafter, Scott Ryan McDonald, Michael McDougall and the representative of the police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Scott Ryan McDonald, Michael McDougall and the representative of the police were then re-admitted to the meeting.

Decided: that the application by Scott Ryan McDonald for a Street Trader's Licence be granted for a period of one year.

(5) PRIVATE HIRE CAR DRIVER'S LICENCE – NEW APPLICATIONS - DEREK ROSS

6. The Acting Managing Solicitor advised (1) that an application (tabled) by Derek Ross 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 John Waddell outline the Chief Constable's objection to the application and Derek Ross' representative, Gerald Summers, speak in support of the application.

Thereafter, the applicant, Gerald Summers and the representative of the police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant, Gerald Summers and the representative of the police were then readmitted to the meeting.

Decided: that the application by Derek Ross for a private hire car driver's licence be refused.

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

7. With reference to paragraph 4 of the Minute of the meeting of this Sub-Committee held on 1 February 2017, when it was agreed that the complaint by the Chief Constable relative to the behaviour of David Milne 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 John Waddell 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 readmitted to the meeting.

Decided: that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1984, the complaint by the Chief Constable relative to the behaviour of David Milne be not upheld.

(7) PRIVATE HIRE CAR DRIVER'S LICENCE – NEW APPLICATIONS - ZAHEER UD DIN BABAR

8. The Acting Managing Solicitor advised (1) that an application by Zaheer Ud Din Babar 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 Sub-Committee then heard John Waddell explain the reason for the Chief Constable's objection being submitted late and Zaheer Ud Din Babar indicate he had no objection to the late objection being considered.

The Sub-Committee then heard John Waddell outline the Chief Constable's objection to the application (both tabled) and Zaheer Ud Din Babar 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 readmitted to the meeting.

Decided: that the application by Zaheer Ud Din Babar for a private hire car driver's licence be refused.