

Motherwell, 15 March 2017 at 10 am.

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

PRESENT

Councillor W. Hogg, Convener; Councillors Bonnar, Chadha, Curley, Irvine, and H. McVey.

CHAIR

Councillor W. Hogg (Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

Sergeant Tomlinson, Police Scotland.

APOLOGIES

Councillors Farooq, McLaren 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

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

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

(a) ANTONIO GUEDES

2. The Acting Managing Solicitor advised (1) that an application (tabled) by Antonio Guedes 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 Antonio Guedes' agent, Graham Keys, Ness Gallagher, Solicitors, speak in support of the application.

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

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

Decided: that the application by Antonio Guedes for a Private Hire Car Driver's Licence be granted.

(b) DOMINIC DOUGAN

3. The Acting Managing Solicitor advised (1) that an application (tabled) by Dominic Dougan 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 Dominic Dougan speak in support of the 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, Graham Keys and the representative of the Police were then re-admitted to the meeting.

Decided: that the application by Dominic Dougan for a Private Hire Car Driver's Licence be granted.

(2) TAXI DRIVER'S LICENCE AND PRIVATE CAR OPERATOR'S LICENCE – COMPLAINT - BRIAN ROBERT CUTMORE

4. With reference to paragraph 2 of the Minute of the special meeting of this Sub-Committee held on 28 February 2017, when it was agreed that the complaint by the Chief Constable, relative to the behaviour of Brian Robert Cutmore be upheld and that his Taxi Driver's Licence and Private Car Operator'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(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 (tabled) and Brian Robert Cutmore speak in respect of the complaint.

Thereafter, Brian Robert Cutmore and the representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Brian Robert Cutmore and the representative of the Police were then re-admitted to the meeting.

The Sub-Committee having determined that the complaint be upheld, heard Brian Robert Cutmore in mitigation.

Thereafter, Brian Robert Cutmore and the representative of the Police again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Brian Robert Cutmore and the representative of the Police were again re-admitted to the meeting.

Decided: that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, Brian Robert Cutmore's Taxi Driver's Licence and Private Car Operator's Licence be suspended, with immediate effect, for the unexpired duration of the Licence.

(3) TAXI DRIVER'S LICENCE – RENEWAL - BRIAN ROBERT CUTMORE

5. With reference to the preceding paragraph, the Acting Managing Solicitor advised (1) that an application (tabled) by Brian Robert Cutmore 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 Brian Robert Cutmore speak in support of the application.

Thereafter, Brian Robert Cutmore and the representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Brian Robert Cutmore and the representative of the Police were then re-admitted to the meeting.

Decided: that the application by Brian Robert Cutmore for the renewal of his Taxi Driver's Licence be refused.

(4) TAXI/PRIVATE HIRE BOOKING OFFICE LICENCE – COMPLAINT - JAMES DALEY, JOHN GORDON, ANTHONY LAMB AND JOHN WOOD

6. The Acting Managing Solicitor advised that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, a complaint had been received by Kay Woods and Ross Beck relative to the behaviour of the Taxi/Private Hire Booking Office Licence of Airdrie Taxis Limited, 28b Hallcraig Street, Airdrie.

The Administrative Officer then indicated that Kay Woods and Ross Beck were no longer in attendance.

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

Decided: that consideration of the complaint regarding Airdrie Taxis Limited be continued to allow the objectors another opportunity to appear before the Sub-Committee to speak in support of the complaint.

(5) SECOND HAND DEALER'S LICENCE – VARIATION - RAMSDENS FINANCIAL SERVICES

7. The Acting Managing Solicitor advised (1) that applications (tabled) had been received from Ramsdens Financial Services to have conditions 6(a), 10, 11 and 12 removed from their Second Hand Dealer's Licences in respect of the premises at (a) 10B Southbridge Street, Airdrie; (b) 81-83 Main Street, Coatbridge; (c) 18 Cheviot Walk, Cumbernauld, and (d) 30 Brandon Parade East, Motherwell, and (2) of the background relative thereto.

The Sub-Committee then heard Tom O'Donnelly, Regional Manager, Scotland, speak in respect of the applications.

Thereafter, Tom O'Donnelly and the representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Tom O'Donnelly and the representative of the Police were then re-admitted to the meeting.

Decided: that the applications by Ramsdens Financial Services for the variation of their Second Hand Dealer's Licence in respect of the premises at (a) 10B Southbridge Street, Airdrie; (b) 81-83 Main Street, Coatbridge; (c) 18 Cheviot Walk, Cumbernauld, and (d) 30 Brandon Parade East, Motherwell be granted, in so far as it relates to the removal of condition 6(a) only, otherwise the applications be refused.

(6) SECOND HAND DEALER'S LICENCE – NEW APPLICATION AND VARIATION TO LICENCE CONDITIONS

8. With reference to the preceding paragraph, the Acting Managing Solicitor advised (1) that an application (tabled) had been received by Ramsdens Financial Services for a Second Hand Dealer's Licence and a variation to the licensing conditions to remove conditions 6(a), 10, 11 and 12 in respect of the premises at 213 Main Street, Bellshill, and (2) of the background relative thereto.

The Sub-Committee then heard Tom O'Donnelly speak in respect of the application.

Thereafter, Tom O'Donnelly and the representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Tom O'Donnelly and the representative of the Police were then re-admitted to the meeting.

Decided: that the application by Ramsdens Financial Services for a Second Hand Dealer's Licence in respect of the premises at 213 Main Street, Bellshill be granted, with condition 6(a) only, being removed.

(7) STREET TRADER'S LICENCE – NEW APPLICATION – NEIL ROBERTSON

9. The Acting Managing Solicitor advised (1) that an application by Neil Robertson for a Street Trader's Licence (Employee) had been received, and (2) that an objection 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 Neil Robertson speak in support of the 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 Neil Robertson for a Street Trader's Licence be granted.