

**Motherwell, 18 April 2017 at 2 pm.**

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

**PRESENT**

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

**CHAIR**

Councillor W. Hogg (Convener) presided.

**IN ATTENDANCE**

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

**ALSO IN ATTENDANCE**

In respect of paragraph 2 - the Head of Regulatory Services and Waste Solutions, and Sergeant Conn, Lanarkshire Division, Police Scotland.

In respect of the remaining paragraphs - John Waddell, Lanarkshire Division, Police Scotland.

**APOLOGIES**

Councillors Irvine and McLaren.

**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**

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

**(1) PRIVATE LANDLORD REGISTRATION - MARTYN PARK**

The Principal Solicitor advised (1) that, in terms of Section 84 of Part 8 of the Anti-Social Behaviour etc (Scotland) Act 2004, an application by Martyn Park for the renewal of his Private Landlord registration had been received, and (2) that material (tabled) had been brought to the attention of the Council by the Chief Constable, Police Scotland, which fell within Sub-Section 85(2) of the aforementioned Act, relative to the behaviour of Martyn Park.

The Sub-Committee then heard (1) the Head of Regulatory Services and Waste Solutions speak in respect of the application; (2) Sergeant Conn outline the Chief Constable's representation, and (3) Martyn Park's agent, Nigel Scullion, Scullion Law Limited, Solicitors speak in respect of the matter.

Thereafter, Martyn Park, Nigel Scullion, the Head of Regulatory Services and Waste Solutions and the representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Martyn Park, Nigel Scullion, the Head of Regulatory Services and Waste Solutions and the representatives of the Police were then re-admitted to the meeting.

**Decided:** that, in terms of Section 84 of Part 8 of the Anti-Social Behaviour etc (Scotland) Act 2004, Martyn Park remain on the register as a Private Landlord.

**(2) LATE HOURS CATERING LICENCE – RENEWAL - MCDONALDS, 1 COATBANK STREET, COATBRIDGE**

2. The Principal Solicitor advised (1) that an application by McDonalds for the renewal of its Late Hours Catering Licence in respect of the premises at 1 Coatbank Street, Coatbridge had been received; (2) that a late objection to the application had been received from the Chief Constable, Police Scotland, and (3) McDonalds agent, Jonathan Guy, Anderson Strathern, Solicitors had requested that consideration of the matter be continued to allow the applicant another opportunity to appear before the Sub-Committee to speak in respect of the matter.

The Sub-Committee then heard John Waddell explain the reasons for the Chief Constable's objection to the application being submitted late and Jonathan Guy, on behalf of his client, indicate that he had no objection to the late objection being considered.

The Sub-Committee then heard Jonathan Guy request, for the reason stated, that consideration of the matter be continued to allow the applicant another opportunity to appear before the Sub-Committee to speak in respect of the matter.

**Decided:** that consideration of the application by McDonalds for a Late Hours Catering Licence be continued to allow the applicant another opportunity to appear before the Sub-Committee to speak in support of the application.

**(3) PRIVATE HIRE CAR DRIVERS LICENCE – NEW APPLICATION - GARY BREEN**

3. The Principal Solicitor advised (1) that an application (tabled) by Gary Breen 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 Gary Breen and his father, Danny Breen, speak in support of the application.

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

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

**Decided:** that the application by Gary Breen for a Private Hire Car Driver's Licence be granted.

**(4) PRIVATE HIRE CAR LICENCE – RENEWALS**

**(a) ROBERT CAMPBELL**

4. The Principal Solicitor advised (1) that an application (tabled) by Robert Campbell for the renewal of his Private Hire Car Licence had been received, and (2) that Robert Campbell did not have a vehicle that was compliant with the Council's specification.

The Sub-Committee then heard the applicant speak in respect of the application and table information in support.

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 Robert Campbell for the renewal of his Private Hire Car Licence be granted to 17 April 2019.

**(b) RAYMOND PATERSON**

5. The Principal Solicitor advised (1) that an application (tabled) by Raymond Paterson for the renewal of his Private Hire Car Licence had been received, and (2) that Raymond Paterson did not have a vehicle that was compliant with the Council's specification.

The Sub-Committee then heard the applicant speak in respect of the application and table information in support.

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 Raymond Paterson for the renewal of his Private Hire Car Licence be granted to 17 April 2019.

**(5) WINDOW CLEANERS LICENCE – RENEWAL - PAUL MURRAY**

6. The Principal Solicitor advised (1) that an application (tabled) by Paul Murray for the renewal of his Window Cleaner'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 Paul Murray 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 Paul Murray for the renewal of his Window Cleaner's Licence be granted.

**(6) PRIVATE HIRE CAR DRIVERS LICENCE AND PRIVATE HIRE CAR LICENCE - NEW APPLICATIONS - TERENCE MALLIN**

7. The Principal Solicitor advised (1) that an application by Terence Mallin for a Private Hire Car Driver's Licence and Private Hire Car Licence had been received, and (2) that an objection to the application had been received from the Chief Constable, Police Scotland.

The Administrative Officer then indicated that Terence Mallin was not in attendance.

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

**Decided:** that consideration of the application by Terence Mallin for a Private Hire Car Driver's Licence and Private Hire Car Licence be continued to allow the applicant another opportunity to appear before the Sub-Committee to speak in support of the application.

**(7) TAXI DRIVERS LICENCE – COMPLAINT - GRAEME FRANCIS DEIGHAN**

8. The Principal 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 Graeme Francis Deighan who currently held a Taxi Driver's Licence.

The Administrative Office then indicated that Graeme Francis Deighan was not in attendance.

Thereafter, the Sub-Committee resumed consideration of the matter in Graeme Francis Deighan's absence.

The Sub-Committee then heard John Waddell outline the Chief Constable's complaint.

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 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, the Taxi Driver's Licence currently held by Graeme Francis Deighan be suspended, with immediate effect, for the unexpired duration of the licence.