

Motherwell, 25 April 2017 at 2 pm.

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

PRESENT

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

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

Sergeant Tomlinson, Police Scotland.

APOLOGY

Councillor 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

(1) TAXI DRIVER'S LICENCE AND PRIVATE HIRE CAR LICENCE – COMPLAINT - JOSEPH HENDERSON

2. The Principal Solicitor advised (1) that, in terms of paragraph 12 of Schedule 1 of the Civic Government (Scotland) Act 1982, a complaint had been received from the Chief Constable, Police Scotland relative to the behaviour of Joseph Henderson who currently held a Taxi Driver's Licence and a Private Hire Car Licence; (2) that, in terms of his delegated authority, the Chief Executive had suspended both the licences, with immediate effect, for a period not exceeding six weeks, and (3) 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 Administrative Officer then indicated that Joseph Henderson was not in attendance.

Thereafter, the Sub-Committee resumed consideration of the complaint (tabled) in Joseph Henderson's absence.

The Sub-Committee then heard Sergeant Tomlinson 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 complaint by the Chief Constable relative to the behaviour of Joseph Henderson be upheld and that his Taxi Driver's Licence and Private Hire Car Licence be suspended, with immediate effect, for the unexpired duration of the licence.

The Chair, being of the opinion that the following items of business were of an urgent nature, authorised their consideration to enable the Council to progress the matter timeously.

(2) PRIVATE HIRE CAR DRIVER'S LICENCE - RECALL OF SUSPENSION - MEHMET YILMAZ

3. With reference to paragraph 3 of the Minute of the meeting of this Sub-Committee held on 12 October 2016, when it was agreed that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, the Private Hire Car Driver's Licence held by Mehmet Yilmaz be suspended, with immediate effect, for the unexpired duration of the licence, the Principal Solicitor advised that a request had been received from Mehmet Yilmaz seeking, for the reasons detailed, the recall of that suspension.

Decided: that, in terms of paragraph 11(6) of Schedule 1 of the Civic Government (Scotland) Act 1982, the suspension of Mehmet Yilmaz's Private Hire Car Driver's Licence be recalled.

(3) TAXI DRIVER'S LICENCE AND PRIVATE HIRE CAR LICENCE - COMPLAINT - GARY PLATT

4. The Principal 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 Gary Platt who currently held a Taxi Driver's Licence and a Private Hire Car Licence.

The Sub-Committee then heard Sergeant Tomlinson outline the Chief Constable's complaint and Gary Platt and his wife, Gillian Platt, speak in respect of the complaint.

Gary Platt, Gillian Platt and the representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Gary Platt, Gillian Platt and the representative of the Police were 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 Gary Platt be not upheld.