

Motherwell, 30 June 2016 at 10 am.

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

PRESENT

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

CHAIR

Councillor W. Hogg (Convener) presided.

IN ATTENDANCE

The Administrative Officer (Committee and Civic Governance Services) and Acting Managing Solicitor (Licensing and Litigation).

ALSO IN ATTENDANCE

Sergeant Tomlinson, Lanarkshire Division, Police Scotland.

APOLOGIES

Councillors Farooq, Majid 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 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) KEVIN LECK

2. The Acting Managing Solicitor advised (1) that an application (tabled) by Kevin Leck 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 Kevin Leck speak in support of his application and table a letter in mitigation.

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 Kevin Leck for a Private Hire Car Driver's Licence be granted for a period of one year.

(b) JAMES TURNER

3. The Acting Managing Solicitor advised (1) that an application (tabled) by James Turner 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 James Turner 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 James Turner for a Private Hire Car Driver's Licence be granted.

(2) PRIVATE HIRE CAR LICENCE – RENEWAL - DAVID MCGINLAY

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

The Sub-Committee then heard David McGinlay speak in respect 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 David McGinlay for the renewal of his Private Hire Car Licence be granted to 1 March 2018 and subject to six monthly vehicle testing.

(3) PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATION - MICHAEL KERR

5. The Acting Managing Solicitor advised (1) that an application (tabled) by Michael Kerr 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 Michael Kerr 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 Michael Kerr for a Private Hire Car Driver's Licence be granted.

(4) TEMPORARY STREET TRADER'S LICENCE - NEW APPLICATION - JEMIMA McLEOD

6. The Acting Managing Solicitor advised (1) that an application (tabled) by Jemima McLeod for a Temporary Street Trader's Licence to enable her to trade from a static van selling Tango Ice Blast Carbonated Drinks at the lay-by adjacent to West Main Street, Harthill 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 Sergeant Tomlinson explain the reasons for the Chief Constable's objection being submitted late and Jemima McLeod's agent, Kevin McCarron, Ness Gallacher, Solicitors indicate, on behalf of his client, that he had no objection to the late objection being considered.

The Sub-Committee then heard Sergeant Tomlinson outline the Chief Constable's objection (tabled) to the application and Kevin McCarron speak in support of the application and table information in mitigation.

Thereafter, the applicant, Kevin McCarron 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 Jemima McLeod for a Temporary Street Trader's Licence be refused.

(5) STREET TRADER'S LICENCE - NEW APPLICATION - JEMIMA McLEOD

7. With reference to the preceding paragraph, the Acting Managing Solicitor advised (1) that an application by Jemima McLeod for a Street Trader's Licence to enable her to trade from a mobile van selling Tango Ice Blast Carbonated Drinks, 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 Sergeant Tomlinson explain the reasons for the Chief Constable's objection being submitted late and Jemima McLeod's agent, Kevin McCarron, Ness Gallacher, Solicitors indicate, on behalf of his client, that he had no objection to the late objection being considered.

The Sub-Committee then heard Sergeant Tomlinson outline the Chief Constable's objection (tabled) to the application and Jemima McLeod and Kevin McCarron speak in support of the application.

Thereafter, the applicant, Kevin McCarron 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 Jemima McLeod for a Street Trader's Licence be refused.