

**Motherwell, 12 January 2011 at 9.30 am.**

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

**PRESENT**

Councillor McAuley, Vice-Convenor; Councillors Harmon and S. Love.

**CHAIR**

In the absence of Councillor Hogg, Councillor McAuley (Vice-Convenor) presided.

**IN ATTENDANCE**

The Administrative Officer (Committee and Civic Government Services) and Chief Solicitor (Licensing).

**ALSO IN ATTENDANCE**

Chief Inspector McKenzie and Sergeant Hayburn, "N" Division, Strathclyde Police.

**APOLOGIES**

Councillors Clarke, Hogg, McElroy and Sullivan.

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

**DECLARATIONS OF INTEREST IN TERMS OF THE ETHICAL STANDARDS IN PUBLIC LIFE ETC. (SCOTLAND) ACT 2000**

1. No declarations were made.

**(1) TAXI OPERATOR'S LICENCE - NEW APPLICATION - WILLIAM HUTTON**

2. The Chief Solicitor advised (1) that an application (tabled) by William Hutton for a Taxi Operator's Licence had been received, and (2) of the background relative thereto.

The Sub-Committee then heard the applicant speak in support of the application.

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

The applicant and representatives of the Police were then re-admitted to the meeting.

**Decided:** that the application by William Hutton for a Taxi Operator's Licence be refused.

**(2) LATE HOURS CATERING LICENCE - NEW APPLICATION - SAJID ALI DIN**

3. The Chief Solicitor advised (1) that an application (tabled) by Sajid Ali Din for a Late Hours Catering Licence in respect of the premises at Starry's Curry House had been received, and (2) that an objection (tabled) to the application had been received from Councillor Devine, a local Member.

The Administrative Officer then indicated that Councillor Devine was not in attendance.

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

The Sub-Committee then heard the applicant's father, Mr. Ali Din, speak in respect of the application.

Thereafter, the applicant, Mr. Ali Din and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant, Mr. Ali Din and representatives of the Police were then re-admitted to the meeting.

**Decided:** that the application by Sajid Ali Din for a Late Hours Catering Licence be granted.

**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.**

### **(3) PRIVATE HIRE CAR DRIVER'S LICENCE – COMPLAINT - ALAN MCAULEY**

4. The Chief Solicitor (Licensing) 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, Strathclyde Police relative to the behaviour of Alan McAuley who currently held a Private Hire Car Driver's Licence.

The Sub-Committee then heard Chief Inspector McKenzie outline the Chief Constable's complaint and Alan McAuley speak in respect of the complaint.

Thereafter, Alan McAuley and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Alan McAuley and representatives of the Police were then re-admitted to the meeting.

The Sub-Committee, having determined that the complaint be upheld, then heard Alan McAuley in mitigation.

Thereafter, Alan McAuley and representatives of the Police again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Alan McAuley and representatives of the Police were again re-admitted to the meeting.

**Decided:** that the Private Hire Car Driver's Licence, currently held by Alan McAuley, be suspended for the unexpired duration with immediate effect.

### **(4) LATE HOURS CATERING LICENCE**

#### **(a) VARIATION**

5. With reference to paragraph 6 of the Minute of the meeting of this Sub-Committee held on 15 December 2010, the Chief Solicitor advised that an application (tabled) by Jay Singh for a variation of his Late Hours Catering Licence, in respect of the premises at Tartan Tikka, 4 Etrick Walk, Cumbernauld had been continued to allow the applicant another opportunity to appear before the Sub-Committee to speak in support of his application.

The Sub-Committee then heard Jay Singh speak in support of the application.

Thereafter, the applicant and representatives of the Police withdrew from the meeting and the Committee resumed consideration of the matter.

The applicant and representatives of the Police were then re-admitted to the meeting.

**Decided:** that the application by Jay Singh to vary his Late Hours Catering Licence be granted.

**(b) NEW APPLICATION - KHAZAN SINGH**

6. The Chief Solicitor advised (1) that an application (tabled) by Khazan Singh for a Late Hours Catering Licence in respect of the premises at Spud Spot, 24 Stirling Street, Airdrie had been received; (2) that an objection to the application had been received from Councillor Devine, a local Member, and (3) that Councillor Devine had subsequently withdrawn his objection.

The Administrative Officer then indicated that Khazan Singh was not in attendance.

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

**Decided:** that the application by Khazan Singh for a Late Hours Catering Licence be granted.

**(5) TAXI OPERATOR'S LICENCE – SAFEKEEPING - ANDREW NISBET AND CATHERINE NISBET**

7. The Chief Solicitor advised (1) that, in terms of paragraph 9 of Schedule 1 of the Civic Government (Scotland) Act 1982, the Council had taken into safekeeping the Taxi Operators Licence currently held by Andrew Nisbet and Catherine Nisbet, and (2) of the background relative thereto.

The Administrative Officer then indicated that Andrew Nisbet and Catherine Nisbet were not in attendance.

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

**Decided:** that consideration of the matter be continued to allow Andrew Nisbet and Catherine Nisbet another opportunity to appear before the Sub-Committee.