

Motherwell, 15 June 2011 at 10 am.

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

PRESENT

Councillor Hogg, Convener; Councillors Ferrie, Harmon, Homer, S. Love and McElroy.

CHAIR

Councillor Hogg (Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

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

APOLOGIES

Councillors Clarke, Irvine, McAuley and Sullivan.

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

1. No declarations were made.

HEARINGS

(1) LATE HOURS CATERING LICENCE - NEW APPLICATION - GIUSEPPE MARINI

2. The Chief Solicitor advised (1) that an application (tabled) by Giuseppe Marini for a Late Hours Catering Licence in respect of Marini, Unit 1, 6 South Muirhead Road, Cumbernauld had been received, and (2) that an objection to the application had been received from the Executive Director of Environmental Services.

The Sub-Committee then heard David Laing, Building Standards advise that, on behalf of the Executive Director of Environmental Services he wished to withdraw the objection to the application and Giuseppe Marini's agent, Audrey Young, Hill Brown and Company, Solicitors speak in support of his application.

Decided: that the application by Giuseppe Marini for a Late Hours Catering Licence be granted.

(2) TEMPORARY PUBLIC ENTERTAINMENT LICENCE - NEW APPLICATIONS

(a) ANDREW GARDNER

3. The Chief Solicitor advised (1) that an application (tabled) by Andrew Gardner for a Temporary Public Entertainment Licence to hold a family fun fair in King George Park, Salsburgh on 22-25 June 2011 had been received; (2) that an objection (tabled) to the application had been received from Linda Gray, local resident, and (3) the Chief Constable, Strathclyde Police had made observations in respect of the application.

The Administrative Officer indicated that Linda Gray was not in attendance.

The Sub-Committee then heard Chief Inspector Mackenzie outline the Chief Constable's observations in respect of the application seeking a terminal hour of 22.00 hours, should the application be granted, and Andrew Gardner speak in support of his 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 Andrew Gardner for a Temporary Public Entertainment Licence be granted with the fun fair terminating at 22.00 hours.

(b) THOMAS DOBBIN

4. The Chief Solicitor advised (1) that an application (tabled) by Thomas Dobbin for a Temporary Public Entertainment Licence to hold a concert in Cleland Public Park, Cleland on 2 July 2011 had been received, and (2) that objections (tabled) to the application had been received from Councillors Martin and Shevlin, local Members.

The Sub-Committee then heard Councillors Martin and Shevlin outline their objections to the application and Thomas Dobbin speak in support of his application.

Thereafter, the applicant, Councillors Martin and Shevlin 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 Thomas Dobbin for a Temporary Public Entertainment Licence be refused.

(c) ROBERT ROBERTS

5. The Chief Solicitor advised (1) that an application by Robert Roberts for a Temporary Public Entertainment Licence for a circus at West Crindledyke Park, Newmains had been received; (2) that an objection to the application had been received from the Executive Director of Environmental Services; (3) that the Executive Director of Environmental Services had thereafter withdrawn his objection to the application, and (4) that the application had subsequently been granted under delegated powers.

Decided: that it be noted that the application by Robert Roberts for a Temporary Public Entertainment Licence had been granted under delegated powers.

(d) ROBERT ROBERTS

6. The Chief Solicitor advised (1) that an application by Robert Roberts for a Temporary Public Entertainment Licence for a circus in Strathclyde Park, Motherwell had been received; (2) that an objection to the application had been received from the Executive Director of Environmental Services; (3) that the Executive Director of Environmental Services had thereafter withdrawn his objection to the application, and (4) that the application had subsequently been granted under delegated powers.

Decided: that it be noted that the application by Robert Roberts for a Temporary Public Entertainment Licence had been granted under delegated power.

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) ITINERANT METAL DEALER'S LICENCE - NEW APPLICATION - WILLIAM HIPSON

7. The Chief Solicitor advised (1) that an application (tabled) by William Hipson for an Itinerant Metal Dealer's Licence had been received, and (2) that an objection (tabled) to the application had been received from the Chief Constable, Strathclyde Police.

The Sub-Committee then heard Chief Inspector Mackenzie outline the Chief Constable's objection to the application and William Hipson speak in support of his 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 Hipson for an Itinerant Metal Dealer's Licence be granted.

(4) PRIVATE HIRE CAR DRIVER'S LICENCE

(a) COMPLAINT: WAYNE HOWELL

8. The Chief 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, Strathclyde Police relative to the behaviour of Wayne Howell who currently held a Private Hire Car Driver's Licence.

The Administrative Officer indicated that Wayne Howell was not in attendance.

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

The Sub-Committee then heard Chief Inspector Mackenzie outline the Chief Constable's complaint.

Representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Representatives of the Police were then re-admitted to the meeting.

Decided: that the Private Hire Car Driver's Licence currently held by Wayne Howell be suspended for the unexpired duration of the Licence.

(b) NEW APPLICATION - GARRY DONNACHIE

9. The Chief Solicitor advised (1) that an application (tabled) by Garry Donnachie for a Private Hire Car Driver's Licence had been received, and (2) that an objection (tabled) had been received from the Chief Constable, Strathclyde Police.

The Administrative Officer then indicated that Garry Donnachie was not in attendance.

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

The Sub-Committee then heard Chief Inspector Mackenzie outline the Chief Constable's objection to the application.

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

Representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Garry Donnachie for a Private Hire Car Driver's Licence be refused.

(5) STREET TRADER'S LICENCE - NEW APPLICATION - BRIAN HETHERSTON

10. The Chief Solicitor advised (1) that an application (tabled) by Brian Hetherston for a Street Trader's Licence to enable him to operate a wheel bin cleaning and valeting service had been received, and (2) that an objection (tabled) to the application had been received from the Chief Constable, Strathclyde Police.

The Sub-Committee then heard Chief Inspector Mackenzie outline the Chief Constable's objection to the application and Brian Hetherston's agent, Mark Fallon, Trainor Alston, Solicitors, speak in support of the application.

Thereafter, the applicant, Mark Fallon 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 Brian Hetherston for a Street Trader's Licence be granted for a period of one year.