

Motherwell, 9 February 2012 at 2 pm.

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

PRESENT

Councillors Cefferty, Harmon and McShannon.

CHAIR

In the absence of Councillor Hogg (Convener), Councillor Cefferty presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

Chief Inspector Fitzpatrick and Sergeant Hayburn, "N" Division, Strathclyde Police, Detective Inspector Wallace and Detective Constable Magilton, Scottish Crime and Drug Enforcement Agency and Claire Martin, Solicitor, Strathclyde Police Headquarters.

APOLOGIES

Councillors Ferrie, Higgins, Hogg, Homer, Irvine, S. Love, McAuley, McElroy and Sullivan.

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 item 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.

HEARING

SECOND HAND DEALER'S LICENCE – RENEWAL - DAVID KENNEDY

2. The Chief Solicitor advised (1) that an application (tabled) by David Kennedy for the renewal of his Second Hand 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 Fitzpatrick outline the Chief Constable's complaint and table a paper by the Scottish Crime and Drug Enforcement Agency.

Thereafter, the Chair enquired as to David Kennedy's agent, Mr. McEntegart, Anderson Fyfe, Solicitors, would require an adjournment in order to consider the tabled paper.

Mr. McEntegart advised the Sub-Committee that he wished to adjourn to enable him and his client to consider the paper.

Thereafter, David Kennedy, Mr. McEntegart and representatives of the Police withdrew from the meeting.

David Kennedy, Mr. McEntegart and representatives of the Police were then re-admitted to the meeting.

Mr. McEntegart then indicated that he had no objection to the tabled paper being considered.

Thereafter, Chief Inspector Fitzpatrick continued to outline the Chief Constable's complaint.

Thereafter, it was agreed that the meeting stand adjourned until the conclusion of the Council meeting.

The meeting re-convened at 5.05 pm.

The Sub-Committee then heard Chief Inspector Fitzpatrick resume his outline of the Chief Constable's complaint and refer to the tabled paper from the Scottish Crime and Drug Enforcement Agency.

The Sub-Committee then heard Mr. McEntegart speak in respect of the application and the complaint by the Chief Constable, and tabled letters from (1) the Crown Office and Procurator Fiscals' Service; (2) Benham Conway and Company, Chartered Accountants, and (3) Edwin Morrison, Morrison Motors.

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

David Kennedy, Mr. McEntegart and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by David Kennedy for the renewal of his Second Hand Dealer's Licence be granted.

Councillor Harmon being the mover of a motion which failed to attract a seconder asked that her dissent be recorded.