

Motherwell, 15 February 2012 at 10 am.

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

PRESENT

Councillor Hogg, Convener; Councillor McAuley, Vice-Convener; Councillors Ferrie, Higgins, S. Love, McElroy and Sullivan.

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, "N" Division, Strathclyde Police.

APOLOGIES

Councillors Harmon and Irvine.

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

(1) PRIVATE HIRE CAR DRIVER'S LICENCE – COMPLAINT - DONALD KERR

2. With reference to paragraph 2 of the Minute of the meeting of this Sub-Committee held on 25 January 2012, when it was agreed that the complaint by the Chief Constable, relative to the behaviour of Donald Kerr, who currently held a Private Hire Car Driver's Licence be upheld and the Licence be suspended with immediate effect in terms of paragraph 12(5) of Schedule 1 of the Civic Government (Scotland) Act 1982, the Chief Solicitor (Licensing) advised that, in terms of paragraph 12(5)(a) of the aforementioned Schedule, further consideration required to be given to the matter.

The Administrative Officer then indicated that Donald Kerr 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 complaint. (tabled).

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 Donald Kerr who currently held a Private Hire Car Driver's Licence be upheld and the Licence be suspended for the unexpired duration of the Licence, with immediate effect.

(2) PRIVATE HIRE CAR LICENCE - RENEWAL - PETER JOSEPH SMITH

3. The Chief Solicitor advised that an application (tabled) by Peter Joseph Smith for the renewal of his Private Hire Car Licence had been received.

The Sub-Committee then heard the applicant and Chief Inspector Mackenzie speak in relation to 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 Peter Joseph Smith for the renewal of his Private Hire Car Licence be granted.

(3) STREET TRADER'S LICENCE – NEW APPLICATIONS

(a) CHRISTOPHER COCKBURN

4. The Chief Solicitor advised that an application (tabled) by Christopher Cockburn for a Street Trader's Licence to enable him to trade from a mobile ice cream van in Coatbridge and surrounding areas had been received.

The Sub-Committee then heard the applicant and Chief Inspector Mackenzie 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 Christopher Cockburn for a Street Trader's Licence be granted.

(b) ARCHIE ANDERSON

5. The Chief Solicitor advised (1) that an application by Archie Anderson for a Street Trader's Licence to enable him to trade from a static flower stall at 31 Graham Street, Airdrie had been received, and (2) that objections to the application had been received from Margaret McCann, Michael Docherty and Marie Simpson, local traders.

The Chief Solicitor advised (1) that, in terms of paragraph 3 of Schedule 1 of the Civic Government (Scotland) Act 1982, any objections or representations relating to an application to the grant or renewal of a licence required to be in writing, and be signed by the objector or on behalf of the objector, and (2) that Marie Simpson's objection was in the form of an e-mail forwarded to the Council.

Decided: that consideration of the application be continued to allow Marie Simpson an opportunity to submit her objection to the application in writing and to be signed by her.

(4) WINDOW CLEANER'S LICENCE - NEW APPLICATION - MICHAEL McCARROLL

6. The Chief Solicitor advised that an application (tabled) by Michael McCarroll for a Window Cleaner's Licence had been received.

The Sub-Committee then heard the applicant and Chief Inspector Mackenzie 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 Michael McCarroll for a Window Cleaner's Licence be granted.