

Motherwell, 28 March 2012 at 2 pm

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

PRESENT

Councillor Hogg, Convener; Councillors Harmon, Higgins, Irvine 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 Swan and Sergeant Hayburn, "N" Division, Strathclyde Police.

APOLOGIES

Councillors Ferrie, S. Love, 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) TEMPORARY MARKET OPERATOR'S LICENCE AND TEMPORARY PUBLIC ENTERTAINMENT LICENCE - NEW APPLICATION - LYCANCLANN McC C/O GERARD GAFFNEY

2. The Chief Solicitor advised that an application (tabled) by Lycanclann MCC c/o Gerard Gaffney for a temporary Market Operator's Licence and a temporary Public Entertainment Licence had been received.

The Sub-Committee then heard Mr. Gaffney, Charlie Russell, Club President and Chief Inspector Swan speak in respect of the application.

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

Mr. Gaffney, Charlie Russell and representatives of the Police were then re-admitted to the meeting.

Decided: that the applications by Lycanclann MCC c/o Gerard Gaffney for temporary Market Operator's Licence and a temporary Public Entertainment Licence be granted with a terminal hour of 2200 hours.

(2) STREET TRADER'S LICENCE - NEW APPLICATION - ARCHIE ANDERSON

3. With reference to paragraph 5 of the Minute of the meeting of this Sub-Committee held on 15 February 2012, the Chief Solicitor advised (1) that consideration of an application (tabled) 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 continued; (2) that objections (tabled) to the application had been received from Michael Doherty, Margaret McCann and Janet Miller, local traders and (3) that a late objection to the application had been received from Marie Simpson, local trader.

The Sub-Committee then heard Marie Simpson explain the reason for her objection being submitted late and Archie Anderson indicate that he had no objection to the late objection being considered.

The Sub-Committee then heard Michael Doherty, Margaret McCann, Janet Miller and Marie Simpson outline their objections to the application and Archie Anderson speak in support of his application.

Thereafter, the applicant, Michael Doherty, Margaret McCann, Janet Miller and Marie Simpson and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant, Michael Doherty, Margaret McCann, Janet Miller and Marie Simpson and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Archie Anderson for a Street Trader's 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) STREET TRADER'S LICENCE - NEW APPLICATION - JAMES DAVID COCHRANE

4. The Chief Solicitor advised that an application (tabled) by James David Cochrane for a Street Trader's Licence to enable him to trade from a mobile ice cream van at various locations in Coatbridge had been received.

The Sub-Committee then heard the applicant and Chief Inspector Swan speak in respect 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 David James Cochrane for a Street Trader's Licence be granted.

(4) PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATION - JAMES ALAN CAMPBELL

5. The Chief Solicitor advised that an application (tabled) by James Alan Campbell for a Private Hire Car Driver's Licence had been received.

The Sub-Committee then heard the applicant and Chief Inspector Swan speak in respect 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 James Alan Campbell for a Private Hire Car Driver's Licence be granted for a period of one year.

(5) PRIVATE HIRE CAR DRIVER'S LICENCE - COMPLAINT - WILLIAM McMURRAY

6. 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 William McMurray who currently held a Private Hire Car Driver's Licence.

The Administrative Officer then indicated that William McMurray was not in attendance.

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

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

Thereafter, the 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, 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 William McMurray be upheld and that his Private Hire Car Driver's Licence be suspended for the unexpired duration of the Licence, with immediate effect.