

Motherwell, 17 April 2012 at 10 am.

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

PRESENT

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

CHAIR

Councillor Hogg (Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

Chief Inspector Fitzpatrick, "N" Division, Strathclyde Police.

APOLOGY

Councillor Harmon.

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

1. No declarations were made.

HEARINGS

(1) PUBLIC ENTERTAINMENT LICENCE - NEW APPLICATION - MICHAEL STIRLING

2. The Principal Solicitor advised (1) that an application (tabled) by Michael Stirling for a Public Entertainment Licence to hold a family fun fair in West End Park, Coatbridge on the undernoted dates and times had been received, viz:-

Wednesday, 9 May to Sunday, 20 May 2012

Monday, 6 May to Sunday, 19 May 2013

Wednesday, 7 May to Sunday, 18 May 2014

6 pm-9.30 pm weeknights

1 pm-9.30 pm Saturday and Sunday and school holidays

and (2) that an objection (tabled) to the application had been received from the Executive Director of Environmental Services.

The Sub-Committee then heard Fiona Kennedy, Roads and Transportation Division outline the Executive Director of Environmental Services' objection to the application and Michael Stirling table photographs and speak in support of his application.

Thereafter, the applicant, Fiona Kennedy 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 Stirling for a Public Entertainment 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.

(2) PRIVATE HIRE CAR LICENCE AND PRIVATE HIRE CAR DRIVER'S LICENCE – COMPLAINT - WILLIAM MITCHELL

3. The Principal 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 Mitchell who currently held a Private Hire Car Licence and Private Hire Car Driver's Licence.

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

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

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

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

The representative 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, having determined that the complaint by the Chief Constable relative to the behaviour of William Mitchell be upheld, the Private Hire Car Licence and Private Hire Car Driver's Licence currently held by William Mitchell be suspended for the unexpired duration of the Licences, with immediate effect.

(3) STREET TRADER'S LICENCE - NEW APPLICATION - MARTIN LAMONT

4. The Principal Solicitor advised (1) that an application (tabled) by Martin Lamont for a Street Trader's Licence to enable him to trade from a mobile pressure washing and valeting service in the Council's area had been received, and (2) that a late objection to the application had been received from the Chief Constable, Strathclyde Police.

The Sub-Committee then heard Chief Inspector Fitzpatrick explain the reasons for the Chief Constable's objection being submitted late and Martin Lamont indicate that he had no objection to the late objection being considered.

The Sub-Committee then heard Chief Inspector Fitzpatrick outline the Chief Constable's objection (tabled) to the application and Martin Lamont, Peter Wright and Jennifer Brown speak in support of the application.

Thereafter, the applicant, Peter Wright, Jennifer Brown and the representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant, Peter Wright, Jennifer Brown and the representative of the Police were then re-admitted to the meeting.

Councillor Love, seconded by Councillor McElroy, moved that the application by Martin Lamont for a Street Trader's Licence be refused.

Councillor McAuley, seconded by Councillor Sullivan moved, as an amendment, that the application by Martin Lamont for a Street Trader's Licence be granted for a period of one year.

On a vote being taken 4 Members voted for the amendment and 3 Members voted for the motion. The amendment was accordingly declared carried.

Decided: that the application by Martin Lamont for a Street Trader's Licence be granted for a - period of one year.