

Motherwell, 13 June 2012 at 10 am.

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

PRESENT

Councillor W. Hogg, Convener; Councillors Farooq, Harmon, Irvine, Love, McKendrick, McLaren, McVey, Majid and Nolan.

CHAIR

Councillor W. Hogg (Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

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

APOLOGY

Councillor Sullivan.

The Convener exercised his discretion to vary the order of business as hereinafter Minuted.

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) STREET TRADER'S LICENCE - NEW APPLICATION - RODERICK MacDONALD

2. The Principal Solicitor advised (1) that an application (tabled) by Roderick MacDonald for a Street Trader's Licence to enable him to trade from a static snack van at Grayshill Road, Westfield, Cumbernauld had been received, and (2) that objections (tabled) to the application had been received from Chris Marshall, Gerard Marshall and a number of members of the public.

The Sub-Committee then heard Chris and Gerard Marshall outline their objections to the application and Roderick MacDonald speak in support of his application.

Thereafter, the applicant, Chris and Gerard Marshall 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 Roderick MacDonald for a Street Trader's Licence be granted.

(2) TAXI DRIVER'S LICENCE - NEW APPLICATION - CATRINA DEANS

3. The Principal Solicitor advised (1) that an application (tabled) by Catrina Deans for a Taxi Driver's Licence 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 Swan explain the reasons for the Chief Constable's objection being submitted late and Catrina Deans indicate that she had no objection to the late objection being considered.

The Sub-Committee then heard Chief Inspector Swan outline the Chief Constable's objection (tabled) to the application and Catrina Deans speak in support of her 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 Catrina Deans for a Taxi Driver's Licence be refused.

(3) WINDOW CLEANER' LICENCE - NEW APPLICATIONS

(a) MARTIN LOWE

4. The Principal Solicitor advised (1) that an application (tabled) by Martin Lowe for a Window Cleaner's Licence 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 Swan explain the reasons for the Chief Constable's objection being submitted late and Martin Lowe indicate that he had no objection to the late objection being considered.

The Sub-Committee then heard Chief Inspector Swan outline the Chief Constable's objection (tabled) to the application and Martin Lowe 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 consideration be continued to allow the applicant another opportunity to appear before the Sub-Committee to speak in support of his application.

(b) ANDREW MULLEN

5. The Principal Solicitor advised (1) that an application (tabled) by Andrew Mullen for a Window Cleaner's Licence 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 Swan explain the reasons for the Chief Constable's objection being submitted late and Andrew Mullen indicate that he had no objection to the late objection being considered.

The Sub-Committee then heard Chief Inspector Swan outline the Chief Constable's objection (tabled) to the application and Andrew Mullen 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.

Councillor Love, seconded by Councillor Irvine moved that the application by Andrew Mullen be granted for a period of one year.

Councillor W. Hogg, seconded by Councillor McLaren moved, as an amendment, that the application by Andrew Mullen be refused.

On a vote being taken, 2 Members voted for the amendment and 8 Members voted for the motion, which was accordingly declared carried.

Decided: that the application by Andrew Mullen for a Window Cleaner's Licence be granted for a period of one year.

(4) PRIVATE HIRE CAR DRIVER'S LICENCE - COMPLAINTS

(a) AMBROZY KOCIOLEK

6. 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 Ambrozy Kociolek, who currently held a Private Hire Car Driver's Licence.

The Sub-Committee then heard Chief Inspector Swan outline the Chief Constable's complaint and Ambrozy Kociolek speak in respect of the complaint.

Decided: that consideration be continued to allow the applicant another opportunity to appear before the Sub-Committee to speak in respect of the complaint.

(b) JOHN MCGILL

7. 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 John McGill who currently held a Private Hire Car Driver's Licence.

The Administrative Officer then indicated that John McGill was not in attendance.

Thereafter, the Sub-Committee resumed consideration of the matter in John McGill'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 Private Hire Car Driver's Licence currently held by John McGill be suspended, with immediate effect, for the unexpired duration of the licence.

(5) WINDOW CLEANER'S LICENCE - COMPLAINT - PAUL STEWART

8. The Principal Solicitor advised (1) that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, a complaint had been received from the Chief Constable, Strathclyde Police relative to the behaviour of Paul Stewart who currently held a Window Cleaner's Licence, and (2) that Paul Stewart had communicated to the Council that he was unable to be in attendance due to his attendance at a funeral.

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

Decided: that consideration be continued to allow Paul Stewart another opportunity to appear before the Sub-Committee to speak in respect of the complaint.