

Motherwell, 24 July 2012 at 11 am.

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

PRESENT

Councillor W. Hogg, Convener; Councillors Farooq, Love, McKendrick, McLaren and Nolan.

CHAIR

Councillor W. Hogg (Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

Sergeant Hayburn, "N" Division, Strathclyde Police.

APOLOGIES

Councillors Harmon, McVey, Majid 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) STREET TRADER'S LICENCE - NEW APPLICATIONS

(a) TOM DEMPSIE

2. The Chief Solicitor advised (1) that an application (tabled) by Tom Dempsie for a Street Trader's Licence to enable him to trade from a static snack van at Cardowan Park, Tannochside Business Park, Uddingston had been received, and (2) that an objection (tabled) to the application had been received from the Executive Director of Environmental Services.

The Sub-Committee then heard Mr. Johnston, Roads and Transportation outline the Executive Director of Environmental Services' objection to the application and Tom Dempsie speak in support of his application.

Thereafter, the applicant, Mr. Johnston 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 Tom Dempsie for a Street Trader's Licence be refused.

(b) ELAINE LOVE

3. With reference to paragraph 3 of the Minute of the meeting of this Sub-Committee held on 27 June 2012, the Chief Solicitor advised (1) that consideration of an application (tabled) by Elaine Love for a Street Trader's Licence to enable her to trade from a static flower stall at Brandon Parade, Motherwell had been continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of her application, and (2) that objections (tabled) to the application had been received from Mrs. Rodger and Mr. Gardner, local traders.

The Administrative Officer then indicated that Mr. Gardner was not in attendance.

The Sub-Committee resumed consideration of the matter in Mr. Gardner's absence.

The Sub-Committee then heard Mrs. Rodger outline her objection to the application and Elaine Love speak in support of her application.

Thereafter, the applicant, Mrs. Rodger 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 Elaine Love for a Street Trader's Licence be granted effective from 1 February 2013.

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 DRIVER'S LICENCE - COMPLAINT - AMBROZY KOCIOLEK

4. With reference to paragraph 6 of the Minute of the meeting of this Sub-Committee held on 13 June 2012, the Chief Solicitor advised (1) that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, a complaint had been received by the Council's Licensing Enforcement Officer relative to the behaviour of Ambrozy Kociolek who currently held a Private Hire Car Driver's Licence, and (2) that Ambrozy Kociolek had indicated that he was unable to be in attendance due to another commitment.

Thereafter, the Sub-Committee resumed consideration of the matter in Ambrozy Kociolek's absence.

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

(3) PRIVATE HIRE CAR OPERATOR'S LICENCES AND PRIVATE HIRE CAR DRIVER'S LICENCE – COMPLAINT - GEORGE THOMSON

5. The Chief Solicitor advised that, in terms of paragraph 12 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 George Thomson who current held Private Hire Car Operator's Licences and a Private Hire Car Driver's Licence.

The Sub-Committee then heard Sergeant Hayburn outline the Chief Constable's complaint and George Thomson speak in respect of the complaint.

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

George Thomson and the representative of the Police were then re-admitted to the meeting.

Decided: that, in terms of paragraph 12 of Schedule 1 of the Civic Government (Scotland) Act 1982, the complaint by the Chief Constable relative to the behaviour of George Thomson be not upheld.

(4) PRIVATE HIRE CAR LICENCE – COMPLAINT - JOHN PAUL QUINN

6. The Chief Solicitor advised that, in terms of paragraph 12 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 Paul Quinn who currently held a Private Hire Car Licence.

The Sub-Committee then heard Sergeant Hayburn outline the Chief Constable's complaint and John Paul Quinn speak in respect of the complaint.

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

John Paul Quinn and the representative of the Police were then re-admitted to the meeting.

Decided: that, in terms of paragraph 12 of Schedule 1 of the Civic Government (Scotland) Act 1982, the complaint by the Chief Constable relative to the behaviour of John Paul Quinn be upheld and his Private Hire Car Licence be suspended with immediate effect.

(5) TAXI DRIVER'S LICENCE – RENEWAL - JOHN PAUL QUINN

7. The Chief Solicitor advised (1) that an application (tabled) by John Paul Quinn for the renewal of his Taxi Driver'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 Sergeant Hayburn outline the Chief Constable's objections to the application and John Paul Quinn 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 the application by John Paul Quinn for the renewal of his Taxi Driver's Licence be refused.

The Convener being of the view that the following items of business were of an urgent nature, authorised their consideration to enable the Council to progress the items timeously.

(6) WINDOW CLEANER'S LICENCE - NEW APPLICATION - MARTIN LOWE

8. The Chief Solicitor advised that an application by Martin Lowe for a Window Cleaner's Licence had been received.

The Administrative Officer then indicated that Martin Lowe was not in attendance although his mother was in attendance to speak on his behalf.

The Sub-Committee then heard Mrs. Lowe and Sergeant Hayburn 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 consideration of the application by Martin Lowe for a Window Cleaner's Licence be continued to allow the applicant another opportunity to appear before the Sub-Committee to speak in support of his application.

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

9. 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 Paul Stewart who currently held a Window Cleaner's Licence.

The Administrative Officer then indicated that Paul Stewart was not in attendance.

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

The Sub-Committee then heard Sergeant Hayburn 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 was 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 Paul Stewart be upheld, the Window Cleaner's Licence currently held by Paul Stewart be suspended with immediate effect for the unexpired duration of the Licence.