

Motherwell, 25 July 2012 at 10 am.

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

PRESENT

Councillor W. Hogg, Convener; Councillors Love, McKendrick, McLaren, McVey, Majid 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

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

APOLOGIES

Councillors Farooq, Harmon and Sullivan.

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

1. Councillor Love declared an interest in paragraph 6 below by reason of the applicant being known to him, withdrew from the meeting and took no part in the consideration thereof.

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 - NEW APPLICATIONS

(a) KHALID PERVAIZ

2. The Chief Solicitor advised (1) that an application (tabled) by Khalid Pervaiz for a Private Hire Car 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 Chief Inspector Connell outline the Chief Constable's objection to the application and Khalid Pervaiz speak in support of his application and table a letter from Livingstone Brown, Solicitors in mitigation.

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 Majid, moved that the application by Khalid Pervaiz for a Private Hire Car Driver's Licence be granted for a period of one year.

Councillor McVey, seconded by Councillor McLaren moved, as an amendment, that the application by Khalid Pervaiz for a Private Hire Car Driver's Licence be refused.

On a vote being taken 2 Members voted for the amendment and 3 Members voted for the motion, which was accordingly declared carried.

Decided: that the application by Khalid Pervaiz for a Private Hire Car Driver's Licence be granted for a period of one year.

(b) RAYMOND WOODS

3. The Chief Solicitor advised (1) that an application (tabled) by Raymond Woods for a Private Hire Car 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 Chief Inspector Connell outline the Chief Constable's objection to the application and Raymond Woods and his wife, Mrs. Woods, speak in support of his application and table a letter from The Lambie Law Partnership in mitigation.

Thereafter, the applicant, Mrs. Woods and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant, Mrs. Woods and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Raymond Woods for a Private Hire Car Driver's Licence be granted.

(2) STREET TRADER'S LICENCE - NEW APPLICATION - GARY MURCHIE

4. The Chief Solicitor advised (1) that an application (tabled) by Gary Murchie for a Street Trader's Licence to enable him to trade in a mobile wheeled bin/valeting service 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 Chief Inspector Connell outline the Chief Constable's objection to the application and Gary Murchie 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 Majid, moved that the application by Gary Murchie for a Street Trader's Licence be granted for a period of one year.

Councillor Hogg, seconded by Councillor McLaren moved, as an amendment, that the application by Gary Murchie for a Street Trader's Licence be refused.

On a vote being taken 2 Members voted for the amendment and 3 Members voted for the motion, which was accordingly declared carried.

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

(3) STREET TRADER'S LICENCE - BREACH OF LICENCE CONDITION - TRACEY ANNE POLLOCK

5. The Chief Solicitor advised that a complaint had been received from the Council's Licensing Enforcement Officer relative to the behaviour of Tracey Anne Pollock who currently held a Street Trader's Licence, and had allegedly breached a condition of her licence by not trading for a period of time.

The Administrative Officer then indicated that Tracey Anne Pollock was not in attendance.

Thereafter, the Sub-Committee resumed consideration of the matter in Tracey Anne Pollock's absence.

Decided: that, in terms of paragraph 11 of the Civic Government (Scotland) Act 1982, the Street Trader's Licence currently held by Tracey Anne Pollock be suspended with immediate effect for the unexpired duration of the licence.

Councillor Love declared an interest in the following item of business by reason that the applicant was known to him, withdrew from the meeting and took no part in the consideration thereof.

(4) TAXI DRIVER'S LICENCE – RENEWAL - JOSEPH FINNON

6. The Chief Solicitor advised (1) that an application (tabled) by Joseph Finnon for the renewal of his Taxi Driver's Licence had been received; (2) that a late objection to the application had been received from the Chief Constable, Strathclyde Police, and (3) Joseph Finnon had indicated that he was unable to be in attendance and had submitted a written submission (tabled).

The Sub-Committee then heard Chief Inspector Connell explain the reasons for the Chief Constable's objection being submitted late.

The Sub-Committee determined that the late objection by the Chief Constable be considered.

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

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

The representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Joseph Finnon for the renewal of his Taxi Driver's Licence be refused.

The Convener being of the view that the following item of business was of an urgent nature, authorised its consideration to enable the Council to progress the item timeously.

(5) WINDOW CLEANER'S LICENCE - RENEWAL - ROBERT CUTHBERTSON

7. The Chief Solicitor advised (1) that an application (tabled) by Robert Cuthbertson for the renewal of Window Cleaner's Licence had been received, and (2) that an objection (tabled) to the application had been received from the Chief Constable, Strathclyde Police.

The Administrative Officer then indicated that Robert Cuthbertson 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 Connell outline the Chief Constable's objection to the application.

Thereafter, 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 the application by Robert Cuthbertson for the renewal of his Window Cleaner's Licence be refused.