

Motherwell, 15 August 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, Nolan and Sullivan.

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.

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) PRIVATE HIRE CAR LICENCE – COMPLAINTS

(a) JOHN QUINN

2. With reference to paragraph 6 of the Minute of the special meeting of this Sub-Committee held on 24 July 2012, when it was agreed 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 Quinn be upheld and his Private Hire Car Licence be suspended with immediate effect, the Chief Solicitor advised that, in terms of paragraph 12(5)(a) of the aforementioned Schedule, further consideration required to be given to the matter.

The Sub-Committee then heard Sergeant Hayburn outline the Chief Constable's complaint (tabled) and John Quinn's agent, Sumaira Iqbal, Moore and Partners, Solicitors, speak in respect of the complaint.

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

John Quinn, Sumaira Iqbal and the representative of the Police were then re-admitted to the meeting.

The Sub-Committee having determined that the complaint be upheld, heard Sumaira Iqbal and John Quinn in mitigation.

Thereafter, John Quinn, Sumaira Iqbal and the representative of the Police again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

John Quinn, Sumaira Iqbal and the representative of the Police were again 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 Licence currently held by John Quinn be not suspended.

(b) GEORGE THOMSON AND VICKI THOMSON

3. With reference to paragraph 5 of the Minute of the special meeting of this Sub-Committee held on 24 July 2012, when it was agreed 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, the Chief Solicitor advised that, in terms of paragraph 12(5)(a) of the aforementioned Schedule, further consideration required to be given to the matter.

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

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

George Thomson, Vicki Thomson and 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, the complaint by the Chief Constable relative to the behaviour of George Thomson be not upheld.

(2) PRIVATE HIRE CAR DRIVER'S LICENCE – COMPLAINTS

(a) GEORGE THOMSON

4. **With reference to** the preceding paragraph, the Chief Solicitor advised that a complaint had been received from the Chief Constable relative to the behaviour of George Thomson who currently held a Private Hire Car Driver's Licence.

The Sub-Committee then heard Sergeant Hayburn advise that, on behalf of the Chief Constable, he wished to withdraw the complaint.

Decided: that it be noted that Sergeant Hayburn, on behalf of the Chief Constable had withdrawn the complaint.

(b) AMBROZY KOCIOLEK

5. With reference to paragraph 4 of the Minute of the special meeting of this Sub-Committee held on 24 July 2012, 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 relative to the behaviour of Ambrozy Kociolek who currently held a Private Hire Car Driver's Licence.

The Administrative Officer indicated that Ambrozy Kociolek was not in attendance.

Thereafter, the Sub-Committee resumed consideration of the matter in Ambrozy Kociolek'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, the complaint by the Chief Constable relative to the behaviour of Ambrozy Kociolek be upheld and his Private Hire Car Driver's Licence be suspended, with immediate effect, for the unexpired duration of the licence.

(3) STREET TRADER'S LICENCE - NEW APPLICATION - BERNADETTE ALLISON

6. The Chief Solicitor advised (1) that an application (tabled) by Bernadette Allison for a Street Trader's Licence to enable her to trade from a static snack van at Coatbank Street, Coatbridge had been received, and (2) of the background relative thereto.

The Sub-Committee then heard Bernadette Allison speak in support of her application.

Thereafter, the applicant 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 Bernadette Allison for a Street Trader's Licence be granted.

(4) WINDOW CLEANER'S LICENCE – NEW APPLICATION - JOHN LAFFERTY

7. The Chief Solicitor advised that an application by John Lafferty for a Window Cleaner's Licence had been received.

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

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

Decided: that consideration of the application by John Lafferty 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.