

Motherwell, 31 October 2012 at 10 am.

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

PRESENT

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

Sergeants Hayburn and Sharp, "N" Division, Strathclyde Police.

APOLOGIES

Councillors Harmon and McKendrick.

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.

HEARINGS

(1) STREET TRADER'S LICENCE - NEW APPLICATION - FIONA SLAVEN AND LESLEY DALRYMPLE

2. The Chief Solicitor advised (1) that an application (tabled) by Fiona Slaven and Lesley Dalrymple for a Street Trader's Licence to enable them to trade from a static snack van on waste ground next to 35 Bell Quadrant, Carfin 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 (1) Sergeant Hayburn outline the Chief Constable's objection to the application; (2) the applicants' agent, Mr. Stan Cook, speak in support of the application, and (3) the Head of Roads and Transportation speak with regard to the proposed location.

Thereafter, the applicants, the Head of Roads and Transportation, Stan Cook and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicants, Stan Cook and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Fiona Slaven and Lesley Dalrymple for a Street Trader's Licence be granted.

(2) TAXI DRIVER'S LICENCE - NEW APPLICATION - PETER FAGAN

3. The Chief Solicitor advised (1) that an application be Peter Fagan for a Taxi Driver's Licence had been received, and (2) that, for the reasons detailed, the application had been subsequently granted by the Head of Legal Services in terms of delegated powers.

Decided: that it be noted that the application by Peter Fagan for a Taxi Driver's Licence had been granted by the Head of Legal Services in terms of delegated powers.

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.

(3) SKIN PIERCING/TATTOOING LICENCE – COMPLAINT - STEPHEN MCCULLOCH

4. 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 Stephen McCulloch who currently held a Skin Piercing/Tattooing Licence.

The Sub-Committee then heard Sergeant Hayburn outline the Chief Constable's complaint and Stephen McCulloch's agent, Andrew Fitzpatrick, MFY Partnership, speak in respect of the complaint and table photographs in mitigation.

Thereafter, Stephen McCulloch, Andrew Fitzpatrick and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Stephen McCulloch, Andrew Fitzpatrick and representatives of the Police were 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 relevant to the behaviour of Stephen McCulloch be not upheld.

(4) PRIVATE HIRE CAR DRIVER'S LICENCE – NEW APPLICATION - GEORGE KUTTICKAL

5. The Chief Solicitor advised that an application by George Kuttickal for a Private Hire Car Driver's Licence had been received.

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

(5) ITINERANT METAL DEALER'S LICENCE - RENEWAL - GARETH HENRY MCLEAN

6. The Chief Solicitor advised (1) that an application (tabled) by Gareth Henry McLean for the renewal of Itinerant Metal Dealer'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 objection to the application and the applicant's agent, Murray McAuley, Traynor Alston, Solicitors, speak in support of the application.

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

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

Decided: that the application by Gareth Henry McLean for the renewal of his Itinerant Metal Dealer's Licence be refused.

(6) PRIVATE HIRE CAR DRIVER'S LICENCE – COMPLAINT - GREIG INGRAM

7. 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 from the Chief Constable, Strathclyde Police, relative to the behaviour of Greig Ingram who currently held a Private Hire Car Driver's Licence, and (2) that Greg Ingram had indicated that he was unable to be in attendance and had submitted written correspondence in mitigation.

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

The Sub-Committee then heard Sergeant Hayburn outline the Chief Constable's complaint.

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

Representatives of the Police were 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 Greg Ingram be upheld and the Licence be suspended with immediate effect for the unexpired duration of the Licence.