

Motherwell, 17 December 2012 at 10 am.

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

PRESENT

Councillors Farooq, McLaren, McVey and Majid.

CHAIR

In the absence of Councillor W. Hogg, Councillor McVey presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

Inspector Higgins, "N" Division, Strathclyde Police.

APOLOGIES

Councillors Harmon, Hogg, Love, McKendrick, Nolan 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) LATE HOURS CATERING LICENCES – NEW APPLICATIONS

- (a) RUSSELL HOUSTON, MANAGER, TESCO STORES LIMITED, UNITS 5-8, AIRDRIE RETAIL PARK, AIRDRIE**
- (b) BERNIE MCBRIDE, MANAGER, TESCO STORES LIMITED, HIGH STREET, AIRDRIE**
- (c) STEPHEN MACLEOD X 2, MANAGER, TESCO STORES LIMITED AND TESCO PETROL FILLING STATION, 12 NORTH ROAD, BELLSHILL**
- (d) PAUL HARRIS, MANAGER, TESCO STORES LIMITED, FARADAY RETAIL PARK, COATBRIDGE**
- (e) GERARD MCDONAGH, MANAGER, TESCO STORES LIMITED, 15 AUCHINBEE WAY, CRAIGMARLOCH**
- (f) PETER MUSHET, MANAGER, TESCO STORES LIMITED, TRYST ROAD, CUMBERNAULD**
- (g) MARK RUSSELL, MANAGER, TESCO STORES LIMITED, BELHAVEN ROAD, WISHAW**

2. The Chief Solicitor advised that in terms of Section 177 of the Criminal Justice (Scotland) Act 2010, applications (tabled) for Late Hours Catering Licences had been received from (1) Russell Houston, Manager, Tesco Stores Limited, Units 5-8, Airdrie Retail Park, Airdrie; (2) Bernie McBride, Manager, Tesco Stores Limited, High Street, Airdrie; (3) Stephen MacLeod x 2, Manager, Tesco Stores Limited

and Tesco Petrol Filling Station, 12 North Road, Bellshill; (4) Paul Harris, Manager, Tesco Stores Limited, Faraday Retail Park, Coatbridge; (5) Gerard McDonagh, Manager, Tesco Stores Limited, 15 Auchinbee Way, Craigmarloch; (6) Peter Mushet, Manager, Tesco Stores Limited, Tryst Road, Cumbernauld, and (7) Mark Russell, Manager, Tesco Stores Limited, Belhaven Road, Wishaw.

The Sub-Committee then heard Barry Duncan, Tesco Stores Limited and his agent, Audrey Junner, Hill Brown, Solicitors speak in respect of the applications.

Thereafter, Barry Duncan, Audrey Junner and the representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Barry Duncan, Audrey Junner and the representative of the Police were then re-admitted to the meeting.

Decided: that the applications by (1) Russell Houston, Manager, Tesco Stores Limited, Units 5-8, Airdrie Retail Park, Airdrie; (2) Bernie McBride, Manager, Tesco Stores Limited, High Street, Airdrie; (3) Stephen MacLeod x 2, Manager, Tesco Stores Limited and Tesco Petrol Filling Station, 12 North Road, Bellshill; (4) Paul Harris, Manager, Tesco Stores Limited, Faraday Retail Park, Coatbridge; (5) Gerard McDonagh, Manager, Tesco Stores Limited, 15 Auchinbee Way, Craigmarloch; (6) Peter Mushet, Manager, Tesco Stores Limited, Tryst Road, Cumbernauld, and (7) Mark Russell, Manager, Tesco Stores Limited, Belhaven Road, Wishaw for a Late Hours Catering Licence be granted.

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 - NEW APPLICATION - JAMES MCFARLANE

The Principal Solicitor advised that an application (tabled) by James McFarlane for a Private Hire Car Driver's Licence had been received.

The Sub-Committee then heard (1) the applicant's agent, Elspeth Forrest, Ness Gallagher and Company, Solicitors; (2) the applicant's friend, David Gracie, and (3) Inspector Higgins speak in respect of the application.

Thereafter, the applicant, Elspeth Forrest, David Gracie and the representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant, Elspeth Forrest, David Gracie and the representatives of the Police were then re-admitted to the meeting.

Decided: that the application by James McFarlane for a Private Hire Car Driver's Licence be refused.

(3) STREET TRADER'S LICENCE – NEW APPLICATION - MARGARET HAMILTON

3. The Principal Solicitor advised (1) that an application (tabled) by Margaret Hamilton for a Street Trader'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 Inspector Higgins explain the reasons for the Chief Constable's objection being submitted late and Margaret Hamilton indicate she had no objection to the late objection being considered.

The Sub-Committee then heard Inspector Higgins outlined the Chief Constable's objection (tabled) to the application and Margaret Hamilton, and Kirsty Freeland, Bereavement Counsellor, speak in respect of the application.

Thereafter, Margaret Hamilton, Kirsty Freeland and the representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Margaret Hamilton, Kirsty Freeland and the representative of the Police were then re-admitted to the meeting.

Decided: that the application by Margaret Hamilton for a Street Trader's Licence be granted.

(4) STREET TRADER'S LICENCE - NEW APPLICATION - MATTHEW SZRAMKE, T/A GLASGOW RECYCLING LIMITED

4. The Principal Solicitor advised (1) that an application by Matthew Szramke for a Street Trader's Licence to enable him to trade in second hand textiles at Tryst Road, Cumbernauld had been received, and (2) that an objection to the application had been received from the Executive Director of Environmental Services.

The Administrative Officer then indicated that Matthew Szramke 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 Matthew Szramke for a Street Trader's Licence be continued to allow the applicant another opportunity to appear before the Sub-Committee to speak in support of his application.