

**Motherwell, 30 January 2013 at 10 am.**

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

**PRESENT**

Councillor W. Hogg, Convener; Councillors Irvine, Love, McAuley, Nolan and Sullivan.

**CHAIR**

Councillor W. Hogg (Convener) presided.

**IN ATTENDANCE**

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

**ALSO IN ATTENDANCE**

Chief Inspector MacKenzie, "N" Division, Strathclyde Police.

**APOLOGIES**

Councillors Harmon, McKendrick and McVey.

**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**

The Convener exercised his discretion to vary the order of business as hereinafter Minuted.

**(1) STREET TRADER'S LICENCE - COMPLAINT - THOMAS POLLOCK**

2. The Principal Solicitor advised (1) that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, complaints (tabled) had been received from Mr. Hepburn, local resident relative to the behaviour of Thomas Pollock who currently held a Street Trader's Licence, and (2) that a late representation had been received from Councillor McGlinchey, a local Member.

The Administrative Officer indicated that Mr. Hepburn and Councillor McGlinchey were not in attendance.

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

The Sub-Committee then heard Mr. Pollock advise that he had no objection to the late representation by Councillor McGlinchey being considered.

The Sub-Committee then heard John Taylor, Licensing Enforcement Officer, John Ashcroft, Roads and Transportation and Thomas Pollock speak in respect of the complaints.

Thereafter, Thomas Pollock, John Taylor, John Ashcroft and the representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Thomas Pollock, John Taylor, John Ashcroft and the representative 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, no further action be taken on the complaint by Mr. Hepburn and the representation by Councillor McGlinchey relevant to the behaviour of Thomas Pollock.

**(2) STREET TRADER'S LICENCE - RENEWAL - THOMAS MITCHELL**

3. The Principal Solicitor advised (1) that an application (tabled) by Thomas Mitchell for the renewal of his Street Trader's Licence to enable him to trade from a static snack van at North Caldeen Road, Coatbridge 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 Eamonn Campbell, Roads and Transportation outline the Executive Director of Environmental Services objection to the application and table photographs and Thomas Mitchell speak in support of his application.

Thereafter, the applicant, Eamonn Campbell and the representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicant, Eamonn Campbell and the representative of the Police were then re-admitted to the meeting.

**Decided:** that the application by Thomas Mitchell for the renewal of his Street Trader's Licence be granted.

**(3) PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATION - HUGH SNEDDON**

4. The Principal Solicitor advised (1) that an application (tabled) by Hugh Sneddon for a Private Hire Car Driver's Licence, had been received, and (2) that an objection to the application (tabled) had been received from the Chief Constable, Strathclyde Police.

The Administrative Officer then indicated that Hugh Sneddon was not in attendance.

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

The representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The representative of the Police was re-admitted to the meeting

**Decided:** that the application by Hugh Sneddon for a Private Hire Car Driver's Licence be refused.

**(4) SECOND HAND DEALER'S LICENCE – COMPLAINT - PAUL CARRACHER**

5. The Principal 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 Carracher, who currently held a Second Hand Dealer's Licence.

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

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

Councillor Hogg, seconded by Councillor McAuley moved that consideration of the complaint by the Chief Constable be continued to allow Paul Carracher another opportunity to appear before the Sub – Committee to speak in respect of the complaint.

Councillor Love, seconded by Councillor Sullivan moved, as an amendment, the consideration of the complaint by the Chief Constable be not continued to allow Paul Carracher another opportunity to appear before the Sub-Committee to speak in respect of the complaint.

On a vote being taken, 3 Members voted for the amendment and 3 Members voted for the motion. The vote being equal, the Chair exercised his casting vote in favour of the motion, which was accordingly declared carried.

**Decided:** that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, consideration of the complaint by the Chief Constable relative to the behaviour of Paul Carracher be continued to allow Paul Carracher another opportunity to appear before the Sub-Committee to speak in respect of the complaint.

**(5) STREET TRADER'S LICENCE - NEW APPLICATION - STUART WILLIAMSON**

6. The Principal Solicitor advised (1) that an application (tabled) by Stuart Williamson for a Street Trader's Licence to enable him to trade from a mobile ice cream van in Kilsyth and Queenzieburn 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 Stuart Williamson was not in attendance.

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

Councillor Hogg, seconded by Councillor Sullivan moved that consideration of the application by Stuart Williamson for a Street Trader's Licence proceed in the applicant's absence.

Councillor McAuley, seconded by Councillor Irvine moved, as an amendment, the consideration of the application by Stuart Williamson 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

On a vote being taken, 3 Members voted for the amendment and 3 Members voted for the motion. The vote being equal, the Chair exercised his casting vote in favour of the motion, which was accordingly declared carried.

The Sub-Committee then heard Chief Inspector MacKenzie outline the Chief Constable's objection to the application.

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 re-admitted to the meeting

**Decided:** that the application by Stuart Williamson for a Street Trader's Licence be refused.