

Motherwell, 9 April 2013 at 10.30 am.

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

PRESENT

Councillors Farooq, Love, McAuley, McVey, Nolan and Sullivan.

CHAIR

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

IN ATTENDANCE

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

ALSO IN ATTENDANCE

Chief Inspector McLeod, Lanarkshire Division, Police Scotland.

APOLOGIES

Councillors Hogg, Irvine, McKendrick and Majid.

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

1. No declarations were made.

HEARINGS

(1) MARKET OPERATOR'S LICENCE - NEW APPLICATION - PATRICK McCARRON

2. With reference to paragraph 2 of the Minute of the meeting of this Sub-Committee held on 13 March 2013, the Principal Solicitor advised (1) that consideration of an application (tabled) by Patrick McCarron for a Market Operator's Licence at Unit 5-6 Locks Street, Coatbridge had been continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application, and (2) that an objection (tabled) to the application had been received from the Executive Director of Environmental Services.

The Administrative Officer then indicated that Patrick McCarron was not in attendance.

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

The Sub-Committee then heard Alan Marks, Building Standards outline the Executive Director of Environmental Services' objection to the application.

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

Alan Marks and the representative of the Police were then re-admitted to the meeting.

Decided: that the application by Patrick McCarron for a Market Operator's Licence be granted subject to the premises satisfying the Executive Director of Environmental Services' requirements.

(2) PUBLIC ENTERTAINMENT LICENCE - NEW APPLICATION - PATRICK McCARRON

3. With reference to paragraph 3 of the Minute of the meeting of this Sub-Committee held on 13 March 2013, the Principal Solicitor advised (1) that consideration of an application (tabled) by Patrick McCarron for a Market Operator's Licence at Unit 5-6 Locks Street, Coatbridge had been continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application, and (2) that an objection (tabled) to the application had been received from the Executive Director of Environmental Services.

The Administrative Officer then indicated that Patrick McCarron was not in attendance.

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

The Sub-Committee then heard Alan Marks, Building Standards outline the Executive Director of Environmental Services' objection to the application.

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

Alan Marks and the representative of the Police were then re-admitted to the meeting.

Decided: that the application by Patrick McCarron for a Market Operator's Licence be granted subject to the conditions set out by the Executive Director of Environmental Services.

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) PRIVATE HIRE CAR DRIVER'S LICENCE – COMPLAINT - ALAN HUGHES

4. 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, Police Scotland, relative to the behaviour of Alan Hughes who currently held a Private Hire Car Driver's Licence.

The Sub-Committee then heard Chief Inspector McLeod outline the Chief Constable's complaint, and Alan Hughes speak in respect of the complaint.

Thereafter Alan Hughes and the representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Alan Hughes and the representative of the Police were then re-admitted to the meeting.

The Sub-Committee having determined that the complaint be upheld, heard Alan Hughes in mitigation.

Thereafter, Alan Hughes and the representative of the Police again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Alan Hughes 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 Driver's Licence currently held by Alan Hughes be not suspended on the understanding that the Head of Legal Services issue Alan Hughes with a letter warning him as to his future conduct.

(4) PRIVATE HIRE CAR LICENCE – RENEWAL - ALAN HUGHES

5. The Principal Solicitor advised (1) that an application (tabled) by Alan Hughes for the renewal of his Private Hire Car Licence had been received; (2) that an objection (tabled) to the application had been received from the Chief Constable, Police Scotland, and (3) that Alan Hughes did not have a vehicle that was compliant with the Council's specification.

The Sub-Committee then heard Chief Inspector McLeod outline the Chief Constable's objection to the application, and Alan Hughes speak in support of the 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 Alan Hughes for the renewal of his Private Hire Car Licence be granted for a period of one year subject to six monthly vehicles inspections being undertaken.

(5) TAXI DRIVER'S LICENCE – COMPLAINT - IAN INNES

6. The Principal Solicitor advised that, in term of paragraph 12 of Schedule 1 of the Civic Government (Scotland) Act 1982, a complaint (tabled) had been received from the Chief Constable, Police Scotland, relative to the behaviour of Ian Innes who currently held a Taxi Driver's Licence.

The Sub-Committee then heard Chief Inspector McLeod outline the Chief Constable's complaint, and Ian Innes speak in respect of the complaint.

Thereafter Ian Innes and the representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Ian Innes and the representative of the Police were then re-admitted to the meeting.

Decided: 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 Ian Innes be not upheld.