

Motherwell, 24 April 2013 at 10 am.

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

PRESENT

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

CHAIR

Councillor W. Hogg (Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

Chief Inspector Bland, Lanarkshire Division, Police Scotland.

In respect of item 3 – Mr. Almatooq, Global Interpreter Services.

APOLOGIES

Councillors Farooq, McAuley, McKendrick and McVey.

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

1. No declarations were made.

HEARINGS

(1) PUBLIC ENTERTAINMENT LICENCE - NEW APPLICATION - STEVEN LENNON AND CRAIG KELMAN PER STEREOFUNK

2. The Chief Solicitor advised (1) that an application (tabled) by Steven Lennon and Craig Kelman per Stereofunk for a Public Entertainment Licence to stage live DJs and bands at Strathclyde Park had been received, and (2) that objections (tabled) to the application had been received from the Executive Director of Environmental Services and Ladywell Community Council.

The Sub-Committee then heard (1) Moira McKenna, Building Standards outline the Executive Director of Environmental Services' objections to the application; (2) Stuart Gray and Delmar Bowman outline Ladywell Community Council's objection to the application, and (3) Steven Lennon and Craig Kelman and Jim Scullion, Senior Operations Officer, Strathclyde Park speak in support of their application.

Thereafter, the applicants, Jim Scullion, Moira McKenna, Delmar Bowman and Stuart Gray and representatives of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

The applicants, Jim Scullion, Moira McKenna, Delmar Bowman and Stuart Gray and representatives of the Police were then re-admitted to the meeting.

Decided: that the application by Steven Lennon and Craig Kelman for a Public Entertainment 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 – COMPLAINTS

(a) ABDULBAST ALIWAN

3. With reference to paragraph 2 of the Minute of the special meeting of this Sub-Committee, 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, Police Scotland relative to the behaviour of Abdulbast Aliwan who currently held a Private Hire Car Driver's Licence.

The Sub-Committee heard Chief Inspector Bland outline the Chief Constable's complaint and Abdulbast Aliwan speak in respect of the complaint.

Thereafter, Chief Inspector Bland, Abdulbast Aliwan and Mr. Almatooq withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Chief Inspector Bland, Abdulbast Aliwan and Mr. Almatooq were then re-admitted to the meeting.

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

Thereafter, Abdulbast Aliwan, Mr. Almatooq and the representative of the Police again withdrew from the meeting, and the Sub-Committee resumed consideration of the matter.

Abdulbast Aliwan, Mr. Almatooq 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 Abdulbast Aliwan be suspended, with immediate effect, for the unexpired duration of the Licence.

(b) MOHAMMED FAROOQ

4. With reference to paragraph 3 of the Minute of the special meeting of this Sub-Committee held on 18 February 2013, 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, Police Scotland relative to the behaviour of Mohammed Farooq who currently held a Private Hire Car Driver's Licence.

The Sub-Committee then heard Chief Inspector Bland outline the Chief Constable's complaint and Mohammed Farooq's agent Brian Rooney, Livingstone Brown, Solicitors, speak in respect of the complaint.

Thereafter, Mohammed Farooq, Brian Rooney and the representative of the Police withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Mohammed Farooq, Brian Rooney and the representative of the Police were then re-admitted to the meeting.

The Sub-Committee having determined that the complaint be upheld, heard Brian Rooney on behalf of Mohammed Farooq in mitigation.

Thereafter, Mohammed Farooq, Brian Rooney and the representative of the Police again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Mohammed Farooq, Brian Rooney 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 Mohammed Farooq be not suspended and that the Head of Legal Services issue Mohammed Farooq with a letter warning him as to his future conduct.

(c) ANDRZEJ SZLYK

5. With reference to paragraph 3 of the Minute of the special meeting of this Sub-Committee held on 3 April 2013, the Chief Solicitor advised that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, a complaint had been received from a member of the public relative to the behaviour of Andrzej Szlyk who currently held a Private Hire Car Driver's Licence.

The Administrative Officer then indicated that Andrzej Szlyk was not in attendance.

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

Decided: that consideration be continued to allow Andrzej Szlyk another opportunity to appear before the Sub-Committee to speak in respect of the complaint.

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

6. With reference to paragraph 6 of the Minute of the special meeting of this Sub-Committee held on 9 April 2013, when it was agreed that the complaint (tabled) by the Chief Constable, Police Scotland, relative to the behaviour of Ian Innes who currently held a Taxi Driver's Licence be not upheld, the Chief Solicitor advised that, in terms of paragraph 12(5) of Schedule 1 of the Civic Government (Scotland) Act 1982, further consideration required to be given to the matter.

The Sub-Committee then hear Chief Inspector Bland outline the Chief Constable's complaint (tabled) 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 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, consideration of the complaint relative to the behaviour of Ian Innes who currently held a Taxi Driver's Licence be continued.