

Motherwell, 4 September 2013 at 10 am.

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

PRESENT

Councillor W. Hogg, Convener; Councillors Clinch, Farooq, Irvine, Love, McAuley, McKendrick, McVey, Majid, 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

Sergeant McGovern, Lanarkshire Division, Police Scotland.

APOLOGY

Councillor McShannon.

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

(1) PRIVATE HIRE CAR DRIVER'S LICENCE - NEW APPLICATION - MIRZA LATIF

2. The Principal Solicitor advised (1) that an application (tabled) by Mirza Latif 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, Police Scotland.

The Administrative Officer then indicated that Mirza Latif was not in attendance.

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

The Sub-Committee then heard Sergeant McGovern 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 then re-admitted to the meeting.

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

(2) PRIVATE HIRE CAR DRIVER'S LICENCE – RECALL OF SUSPENSION - JAMES KANE

3. With reference to paragraph 4 of the Minute of the meeting of this Sub-Committee held on 8 March 2012, when it was agreed that the Private Hire Car Driver's Licence held by James Kane be suspended for the unexpired duration of the Licence, the Principal Solicitor advised (1) that a request had been received from James Kane seeking the recall of the suspension, and (2) that an objection to the request (tabled) had been received from the Chief Constable, Police Scotland.

The Sub-Committee then heard Sergeant McGovern outline the Chief Constable's objection to the request and James Kane speak in support of the request.

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

James Kane and the representative of the Police were re-admitted to the meeting.

Councillor McAuley, seconded by Councillor Sullivan moved that the suspension of James Kane's Private Hire Car Driver's Licence be recalled.

Councillor Hogg, seconded by Councillor McKendrick moved, as an amendment, that the suspension of James Kane's Private Hire Car Driver's Licence be not recalled.

On a vote being taken 6 Members voted for the amendment and 4 Members voted for the motion. The amendment was accordingly declared carried.

Decided: that, in terms of paragraph 11(6) of Schedule 1 of the Civic Government (Scotland) Act 1982, the suspension of James Kane's Private Hire Car Driver's Licence be not recalled.

(3) PRIVATE HIRE CAR DRIVER'S LICENCE - RENEWAL - ROBERT REID

4. The Principal Solicitor advised (1) that an application (tabled) by Robert Reid for the renewal of his Private Hire Car Driver's Licence had been received, and (2) that an objection (tabled) to the application had been received from the Chief Constable, Police Scotland.

The Sub-Committee then heard Sergeant McGovern outline the Chief Constable's objection to the application and Robert Reid speak in support of his application.

Thereafter, the applicant, Robert Reid and representatives 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 Robert Reid for the renewal of his Private Hire Car Driver's Licence be granted for a period of one year.

(4) TAXI DRIVER'S LICENCE – COMPLAINT ALAN McCORMICK

5. The Principal Solicitor advised that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, complaint (tabled) had been received from the Chief Constable, Police Scotland, relative to the behaviour of Alan McCormick who currently held a Taxi Driver's Licence.

The Sub-Committee then heard Sergeant McGovern outline the Chief Constable's complaint, and Alan McCormick's agent, Andrew Fitzpatrick, MFY Partnership, speak in respect of the complaint.

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

Andrew Fitzpatrick 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, the complaint by the Chief Constable relative to the behaviour of Alan McCormick be not upheld.

(5) STREET TRADER'S LICENCE - NEW APPLICATION - MARTIN DICKSON

6. The Principal Solicitor advised (1) that an application (tabled) by Martin Dickson for a Street Trader's Licence to enable him to trade in a mobile car washing/valeting service in North Lanarkshire had been received, and (2) that an objection (tabled) to the application had been received from the Chief Constable, Police Scotland.

The Sub-Committee then heard Sergeant McGovern outline the Chief Constable's objection to the application and Martin Dickson speak in support of his 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.

Councillor Love, seconded by Councillor Irvine, moved that the application by Martin Dickson for a Street Trader's Licence be granted.

Councillor Hogg, seconded by Councillor Majid moved, as an amendment, that the application by Martin Dickson for a Street Trader's Licence be refused.

On a vote being taken 3 Members voted for the amendment and 7 Members voted for the motion which was accordingly declared carried.

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

(6) WINDOW CLEANER'S LICENCE - NEW APPLICATION - ROBERT WEIR

The Principal Solicitor advised (1) that an application (tabled) by Robert Weir for a Window Cleaner's Licence had been received, and (2) that an objection (tabled) to the application had been received from the Chief Constable, Police Scotland.

The Sub-Committee then heard Sergeant McGovern outline the Chief Constable's objection to the application and Robert Weir speak in support of his application.

Thereafter, the applicant, Robert Weir 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 Robert Weir for a Window Cleaner's Licence be granted.