

Motherwell, 30 October 2013 at 10 am.

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

PRESENT

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

CHAIR

Councillor W. Hogg (Convener) presided.

IN ATTENDANCE

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

ALSO IN ATTENDANCE

John Waddell, Lanarkshire Division, Police Scotland.

APOLOGIES

Councillors Clinch, McVey and Sullivan.

DEATH OF COUNCILLOR ANNITA McAULEY, VICE-CONVENER OF CORPORATE SERVICES COMMITTEE

The Convener referred to the death of Councillor Annita McAuley who became a Member of North Lanarkshire Council in 2003 and who, prior to her death, had served as Vice-Convener of this Committee, Chair of the Corporate Services (Public Processions) Sub-Committee and previously as the Convener of Motherwell and District Area Committee and spoke of her hard work for her area and constituents of Motherwell North during her time with North Lanarkshire Council.

Thereafter, the Sub-Committee observed one Minute's Silence.

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

(a) NEW APPLICATION - MUHAMMAD NAWAZ

2. The Principal Solicitor advised (1) that an application (tabled) by Muhammad Nawaz for a 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 Administrative Officer then indicated that Muhammad Nawaz was not in attendance.

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

The Sub-Committee then heard John Waddell 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 Muhammad Nawaz for a Private Hire Car Driver's Licence be refused.

(b) RENEWAL - SHAHID IQBAL

3. The Principal Solicitor advised that an application by Shahid Iqbal for the renewal of his Private Hire Car Driver's Licence had been received.

The Administrative Officer then indicated that although Mr. Iqbal was not in attendance, Mr. Wardropper, GFT Minibus and Taxis was in attendance to speak in respect of the application.

The Sub-Committee then heard Mr. Wardropper speak in relation to the application.

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

Mr. Wardropper and the representative of the Police were then re-admitted to the meeting.

Decided: that consideration of the application by Shahid Iqbal for the renewal of his Private Hire Car Driver's Licence be continued to allow the applicant another opportunity to appear before the Sub-Committee to speak in support of his application.

(2) TAXI DRIVER'S LICENCE – COMPLAINTS

(a) JAMES DUFFY

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 James Duffy who currently held a Taxi Driver's Licence.

The Sub-Committee then heard John Waddell outline the Chief Constable's complaint and James Duffy's agent, Peter Gunn, Airdrie Taxis speak in respect of the complaint.

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

James Duffy, Peter Gunn and the representative of the Police were re-admitted to the meeting.

The Sub-Committee having determined that the complaint by the Chief Constable relative to the behaviour of James Duffy be upheld heard James Duffy and Peter Gunn in mitigation.

Thereafter, James Duffy, Peter Gunn and the representative of the Police again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

James Duffy, Peter Gunn and the representative of the Police were again re-admitted to the meeting.

Decided: that, in terms of paragraph 11 and Schedule 1 of the Civic Government (Scotland) Act 1982, the Taxi Driver's Licence currently held by James Duffy be not suspended on the understanding that the Acting Head of Legal Services issue James Duffy with a letter warning him as to his future conduct.

(b) MATTHEW WHITE

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, Police Scotland relative to the behaviour of Matthew White who currently held a Taxi Driver's Licence.

The Sub-Committee then heard John Waddell outline the Chief Constable's complaint and Matthew White speak in respect of the complaint.

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

Matthew White and the representative of the Police were re-admitted to the meeting.

Decided: that the complaint by the Chief Constable relative to the behaviour of Matthew White who currently held a Taxi Driver's Licence be not upheld.

(3) STREET TRADER'S LICENCE - NEW APPLICATION - ARTHUR LITTLEJOHN

6. The Principal Solicitor advised (1) that an application (tabled) by Arthur Littlejohn for a Street Trader's Licence to enable him to trade from a static snack van adjacent to 16 New Stevenston Road, Motherwell had been received, and (2) that objections (tabled) to the application had been received from James Hainey and Roslyn Keenan, local residents.

The Administrative Officer then indicated that neither the applicant nor the objectors were in attendance.

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

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

(4) WINDOW CLEANER'S LICENCE - NEW APPLICATION - MARTIN CASEY

7. The Principal Solicitor advised that consideration of an application by Martin Casey for a Window Cleaner's Licence had been continued to allow the applicant an opportunity to appear before the Sub-Committee to speak in support of his application.

The Administrative Officer then indicated that Martin Casey was not in attendance.

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

Decided: that the application by Martin Casey for a Window Cleaner's Licence be continued to allow the applicant another opportunity to appear before the Sub-Committee to speak in support of his application.