

**Motherwell, 8 January 2014 at 10 am.**

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

**PRESENT**

Councillor W. Hogg, Convener; Councillors Clinch, Irvine, McVey, Nolan and Sullivan.

**CHAIR**

Councillor W. Hogg (Convener) presided.

**IN ATTENDANCE**

The Administrative Officer (Committee and Civic Governance Services) and Acting Managing Solicitor (Licensing and Litigation).

**ALSO IN ATTENDANCE**

Sergeant McGovern, Lanarkshire Division, Police Scotland.

**APOLOGIES**

Councillors Love, McKendrick and Majid.

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

**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) TAXI DRIVER'S LICENCE – NEW APPLICATION - CATRINA DEANS**

2. The Acting Managing Solicitor advised (1) that an application (tabled) by Catrina Deans for a Taxi 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 Catrina Deans and her agent, Alan Watt, Watt Law, Solicitors speak in support of the application.

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

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

Councillor Hogg, seconded by Councillor Clinch moved that the application by Catrina Deans for a Taxi Driver's Licence be refused.

Councillor Nolan, seconded by Councillor Irvine, moved, as an amendment, that the application by Catrina Deans for a Taxi Driver's Licence be granted for a period of one year.

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

**Decided:** that the application by Catrina Deans for a Taxi Driver's Licence be refused.

## **(2) SECOND HAND DEALER'S LICENCE - RENEWAL - ROBERT WALKER**

3. The Acting Managing Solicitor advised (1) that an application (tabled) by Robert Walker for the renewal of his Second Hand Dealer's Licence to enable him to trade in second hand car sales at 317 Orbiston Street, Motherwell had been received, and (2) that a late objection to the application had been received from the Chief Constable, Police Scotland.

The Sub-Committee then heard Sergeant McGovern explain the reason for the Chief Constable's objection being submitted late.

The Sub-Committee then determined that the late objection by the Chief Constable be not considered.

The Sub-Committee then heard Robert Walker's agent, John Costello, John A. Bryan, Solicitors, speak in respect of the application.

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

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

**Decided:** that the application by Robert Walker for the renewal of his Second Hand Dealer's Licence be granted.

## **(3) PRIVATE HIRE CAR DRIVER'S LICENCE – COMPLAINT - ANDRZEJ SZLYK**

4. The Acting Managing Solicitor advised that, in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, a complaint had been received from the Chief Constable, Police Scotland, 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 of the complaint relative to the behaviour of Andrzej Szlyk be continued to allow Andrzej Szlyk another opportunity to appear before the Sub-Committee to speak in respect of the complaint.

**(4) TAXI DRIVER'S LICENCE - COMPLAINT - JAMES McLEAN**

5. The Acting Managing 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 McLean who currently held a Taxi Driver's Licence.

The Sub-Committee then heard Sergeant McGovern outline the Chief Constable's complaint and James McLean speak in respect of the complaint.

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

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

The Sub-Committee having determined that the complaint be upheld heard James McLean in mitigation.

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

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

**Decided:** that the Taxi Driver's Licence currently held by James McLean be not suspended on the understanding that the Acting Head of Legal Services issue James McLean with a letter warning him as to his future conduct.

**(5) TAXI OPERATOR'S LICENCE – VARIATION - MARGARET HAMILTON AND DAVID HAMILTON**

6. The Acting Managing Solicitor advised that an application by Margaret Hamilton and David Hamilton to vary their Taxi Operator's Licence had been received.

The Administrative Officer then indicated that Margaret Hamilton and David Hamilton were not in attendance.

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

**Decided:** that the application by Margaret Hamilton and David Hamilton to vary their Taxi Operator's Licence be refused.

**(6) WINDOW CLEANER'S LICENCE - NEW APPLICATION - ANDREW MULLEN**

7. The Acting Managing Solicitor advised (1) that an application (tabled) by Andrew Mullen 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 objections to the application and Andrew Mullen speak in support of his application.

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

The applicant and representatives of the Police were then re-admitted to the meeting.

Councillor McVey, seconded by Councillor Sullivan, moved that the application by Andrew Mullen for a Window Cleaner's Licence be refused.

Councillor Irvine, seconded by Councillor Clinch, moved, as an amendment, that the application by Andrew Mullen be granted for a period of one year.

On a vote being taken, 2 Members voted for the amendment and 4 Members voted for the motion which was accordingly declared carried.

**Decided:** that the application by Andrew Mullen for a Window Cleaner's Licence be refused.