

Motherwell, 19 February 2014 at 10 am.

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

PRESENT

Councillor W. Hogg, Convener; Councillors Farooq, Irvine, Majid, Nolan and P. O'Rourke.

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 Sullivan.

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 paragraph* of Part 1 of Schedule 7A of the Act.

HEARINGS

(1) PRIVATE HIRE CAR DRIVER'S LICENCE AND PRIVATE HIRE CAR LICENCE – COMPLAINT - THOMAS KEENAN

2. 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 Thomas Keenan who currently held a Private Hire Car Driver's Licence and Private Hire Car Licence.

The Sub-Committee then heard Sergeant McGovern outline the Chief Constable's complaint, and Thomas Keenan's agent, Mr. Watt, Watt Law, Solicitors, speak in respect of the complaint.

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

Thomas Keenan, Mr. Watt and the representative of the Police were re-admitted to the meeting.

The Sub-Committee having determined that the complaint be upheld, heard Thomas Keenan and Mr. Watt in mitigation.

Thereafter, Thomas Keenan, Mr. Watt and the representative of the Police again withdrew from the meeting and the Sub-Committee resumed consideration of the matter.

Thomas Keenan, Mr. Watt 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, (1) the Private Hire Car Driver's Licence currently held by Thomas Keenan be suspended for a period of four weeks and (2) that Thomas Keenan's Private Hire Car Licence be not suspended on the understanding that the Acting Head of Legal Services issue Thomas Keenan with a letter warning him as to his future conduct.

(2) PRIVATE HIRE CAR DRIVER'S LICENCE – NEW APPLICATIONS

(a) CAROL BROWN

3. The Acting Managing Solicitor advised that an application (tabled) by Carol Brown for a Private Hire Car Driver's Licence had been received.

The Sub-Committee then heard the applicant and Sergeant McGovern speak in respect of the 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.

Decided: that the application by Carol Brown for a Private Hire Car Driver's Licence be granted.

(b) GARY MARKS

4. The Acting Managing Solicitor advised (1) that an application (tabled) by Gary Marks 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 Sub-Committee then heard Sergeant McGovern outline the Chief Constable's objection to the application and Gary Marks' agent, Mr. Kelly, Kelly and Company, Solicitors speak in support of the application.

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

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

Decided: that the application by Gary Marks for a Private Hire Car Driver's Licence be granted for a period of one year.

(3) TAXI DRIVER'S LICENCE – RENEWAL - GARY MARKS

5. With reference to the preceding paragraph the Acting Managing Solicitor advised (1) that an application (tabled) by Gary Marks for the renewal of his 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 Gary Marks' agent, Mr. Kelly, Kelly and Company, Solicitors speak in support of the application.

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

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

Decided: that the application by Gary Marks for the renewal of his Taxi Driver's Licence be granted.

(4) TAXI DRIVER'S LICENCE – NEW APPLICATION - STEPHEN WATT

6. The Acting Managing Solicitor advised (1) that an application (tabled) by Stephen Watt for a Taxi Driver's Licence 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 and Stephen Watt indicate that he had no objection to the objection being considered.

The Sub-Committee then heard Sergeant McGovern outline the Chief Constable's objection (tabled) to the application and Stephen Watt, and his wife, Karen Watt speak in respect of the application.

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

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

Decided: that the application by Stephen Watt for a Taxi Driver's Licence be granted for a period of one year.

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

7. 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 David Hamilton and Margaret Hamilton who currently held a Taxi Operator's Licence.

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

Thereafter, the Sub-Committee resumed consideration of the matter in David Hamilton and Margaret Hamilton's absence.

The Sub-Committee then heard Sergeant McGovern outline the Chief Constable's complaint (tabled).

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 in terms of paragraph 11 of Schedule 1 of the Civic Government (Scotland) Act 1982, the Taxi Operator's Licence currently held by David Hamilton and Margaret Hamilton be suspended, with immediate effect, for the unexpired duration of the licence.

(6) WINDOW CLEANER'S LICENCE – NEW APPLICATION - PAUL ARBUCKLE

8. The Acting Managing Solicitor advised (1) that an application (tabled) by Paul Arbuckle for a Window Cleaner's Licence 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 and Paul Arbuckle indicate that he had no objection to the objection being considered.

The Sub-Committee then heard Sergeant McGovern outline the Chief Constable's objection (tabled) to the application and Paul Arbuckle and Andy Gillick speak in respect of the application.

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

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

Decided: that the application by Paul Arbuckle for a Window Cleaner's Licence be granted.