

LICENSING COMMITTEE

Minute of Meeting of the Licensing Committee held in the Council Chambers, Council Building, 2 High Street, Perth, on Wednesday 7 November 2007 at 10.00am.

Present: Councillors P Mulheron, D Melloy, W Robertson and H Stewart.

In Attendance: Sergeant R Forbes (Tayside Police); M Baker and C White (Corporate Services); and Y Oliver (Chief Executive's Service).

Apologies for Absence: Councillors J Coburn, J Flynn and D Scott.

Councillor P Mulheron, Convener, Presiding.

647. DECLARATIONS OF INTEREST

There were no declarations of interest made in terms of the Councillors' Code of Conduct.

648. MINUTE OF PREVIOUS MEETING

The Minute of Meeting of the Licensing Committee of 26 September 2007 (Arts. 571-592) was submitted, approved as a correct record and authorised for signature.

IN TERMS OF STANDING ORDER 19 THE COMMITTEE UNANIMOUSLY AGREED TO VARY THE ORDER OF BUSINESS.

649. CONSIDERATION OF VARIATION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD191

There was submitted a report by the Head of Legal Services (07/696) regarding consideration of variation of Taxi/Private Hire Car Driver's Licence TD191.

Resolved:

Application for consideration of variation of Taxi/Private Hire Car Driver's Licence TD191 be granted with immediate effect.

IT WAS AGREED THAT THE PUBLIC AND PRESS SHOULD BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEMS IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH IS EXEMPT IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973

650. CONSIDERATION OF APPLICATION FOR GRANT OF STREET TRADER'S LICENCE – ST158

There was submitted a report by the Head of Legal Services (07/698) together with letter of objection from the Chief Constable, Tayside Police, dated 20 September 2007, regarding consideration of application for grant of Street Trader's Licence ST158.

The applicant was in attendance, addressed the Committee and answered Members' questions. A representative of the Chief Constable also answered Members' questions.

Resolved:

Application for grant of Street Trader's Licence ST158 be granted for one year with effect from 7 November 2007.

An amendment by Councillor H Stewart to refuse the application failed to secure a seconder and the amendment accordingly fell.

651. CONSIDERATION OF APPLICATION FOR GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD868

There was submitted a report by the Head of Legal Services (07/700) together with letter from the Chief Constable, Tayside Police, dated 21 September 2007, regarding consideration of application for grant of Taxi/Private Hire Car Driver's Licence TD868.

The applicant, accompanied by his wife, was in attendance, addressed the Committee and answered Members' questions. A representative of the Chief Constable also answered Members' questions.

Resolved:

Application for grant of Taxi/Private Hire Car Driver's Licence TD868 be granted for one year, with effect from 7 November 2007, with the additional licence condition that the applicant attend the Vernon Manfield Driver Awareness Course.

652. CONSIDERATION OF APPLICATION FOR GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD874

There was submitted a report by the Head of Legal Services (07/699) together with letter of representation from the Chief Constable, Tayside Police, dated 18 October 2007, regarding consideration of application for grant of Taxi/Private Hire Car Driver's Licence TD874.

The applicant was in attendance, addressed the Committee and answered Members' questions. A representative of the Chief Constable also answered Members' questions.

Resolved:

Application for grant of Taxi/Private Hire Car Driver's Licence TD874 be granted for three years, with effect from 7 November 2007, with the additional licence condition that the applicant attend the Vernon Manfield Driver Awareness Course.

653. CONSIDERATION OF APPLICATION FOR RENEWAL OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD75

There was submitted a report by the Head of Legal Services (07/701) together with letter of objection from the Chief Constable, Tayside Police, dated 3 September 2007, regarding consideration of application for renewal of Taxi/Private Hire Car Driver's Licence TD75.

The applicant, who was accompanied by his brother, was in attendance, addressed the Committee and answered Members' questions. A representative of the Chief Constable also answered Members' questions.

THE COMMITTEE ADJOURNED TO DISCUSS THE REPRESENTATIONS RECEIVED.

THE COMMITTEE RECONVENED.

Resolved:

Application for renewal of Taxi/Private Hire Car Driver's Licence TD75 be granted for one year, with effect from 7 July 2007, with the additional licence condition that the applicant attend the Vernon Manfield Driver Awareness Course.

654. CONSIDERATION OF APPLICATION FOR GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD857

There was submitted a report by the Head of Legal Services (07/702) together with letter of representation from the Chief Constable, Tayside Police, dated 21 September 2007, regarding consideration of application for grant of Taxi/Private Hire Car Driver's Licence TD857.

The applicant was in attendance, addressed the Committee and answered Members' questions. A representative of the Chief Constable also answered Members' questions.

THE REPRESENTATIVE OF TAYSIDE POLICE LEFT THE MEETING AT THIS POINT.

The applicant produced the relevant financial information required to process the application.

THE REPRESENTATIVE OF TAYSIDE POLICE RETURNED TO THE MEETING.

Resolved:

Application for grant of Taxi/Private Hire Car Driver's Licence TD857 be granted for one year with effect from 7 November 2007, with the additional licence condition that the applicant attend the Vernon Manfield Driver Awareness Course.

655. CONSIDERATION OF APPLICATION FOR GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD875

There was submitted a report by the Head of Legal Services (07/703) together with letter of representation from the Chief Constable, Tayside Police, dated 4 October 2007, regarding consideration of application for grant of Taxi/Private Hire Car Driver's Licence TD875.

The applicant was in attendance, addressed the Committee, and answered Members' questions. A representative of the Chief Constable also answered Members' questions.

THE REPRESENTATIVE OF TAYSIDE POLICE LEFT THE MEETING AT THIS POINT.

The applicant produced financial documentation in connection with his application.

Resolved:

Application for grant of Taxi/Private Hire Car Driver's Licence TD875 be deferred to the next meeting of the Licensing Committee, being held on Tuesday 18 December 2007, to allow the applicant to produce clarification of the information provided by him at the meeting regarding his Council Tax position.

656. CONSIDERATION OF APPLICATION FOR GRANT OF WINDOW CLEANER'S LICENCE – WC138

There was submitted a report by the Head of Legal Services (07/704) regarding consideration of application for grant of Window Cleaner's Licence WC138.

The applicant was in attendance, addressed the Committee and answered Members' questions.

The applicant also produced the relevant financial information required to process the application.

THE COMMITTEE ADJOURNED TO DISCUSS THE REPRESENTATIONS RECEIVED.

THE COMMITTEE RECONVENED.

Resolved:

Application for grant of Window Cleaner's Licence WC138 be granted for one year with effect from 7 November 2007.

THE REPRESENTATIVE OF TAYSIDE POLICE RETURNED TO THE MEETING.

657. CONSIDERATION OF SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD368

There was submitted a report by the Head of Legal Services (07/697) together with (i) letter of representation from the Chief Constable, Tayside Police, dated 24 September 2007; and (ii) letter to the licence holder, dated 10 October 2007, regarding consideration of suspension of Taxi/Private Hire Car Driver's Licence TD368.

The applicant was not in attendance.

A representative of the Chief Constable answered Members' questions.

Resolved:

The Licence holder's licence be suspended for the duration of the licence (to 3 November 2008) with immediate effect, on the basis that the licence holder is not a fit and proper person to hold a licence.

THE REPRESENTATIVE OF TAYSIDE POLICE LEFT THE MEETING AT THIS POINT.

658. CONSIDERATION OF APPLICATION FOR RENEWAL OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD161

There was submitted a report by the Head of Legal Services (07/705) regarding consideration of application for renewal of Taxi/Private Hire Car Driver's Licence TD161.

The Committee was advised that the applicant had requested deferral of the application to enable him to produce the relevant financial information required to process the application.

Resolved:

Application for renewal of Taxi/Private Hire Care Car Driver's Licence TD161 be deferred to the next meeting of the Licensing Committee, being held on 18 December 2007, to allow the applicant the opportunity to produce the relevant financial information required to process the application.

659. CONSIDERATION OF APPLICATION FOR RENEWAL OF WINDOW CLEANER'S LICENCE – WC57

There was submitted a report by the Head of Legal Services (07/706) regarding consideration of application for renewal of Window Cleaner's Licence WC57.

Resolved

The Committee was advised that the relevant financial information required to process the application had been received from the applicant and this item was subsequently withdrawn from the agenda.

660. CONSIDERATION OF APPLICATION FOR GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD871

There was submitted a report by the Head of Legal Services (07/707) regarding consideration of application for grant of Taxi/Private Hire Car Driver's Licence TD871.

Resolved:

The Committee was advised that the relevant financial information required to process the application had been received from the applicant and this item was subsequently withdrawn from the agenda.

661. CONSIDERATION OF APPLICATION FOR RENEWAL OF SECOND-HAND MOTOR DEALER'S LICENCE – MD73

There was submitted a report by the Head of Legal Services (07/708) regarding consideration of application for renewal of Second-Hand Motor Dealer's Licence MD73.

The Committee was advised that the applicant's agent was unable to attend and the applicant had therefore requested deferral of the application.

Resolved:

Consideration of application for renewal of Second Hand Motor Dealer's Licence MD73 be deferred to the next meeting of the Licensing Committee, being held on Tuesday 18 December 2007, to allow the applicant and his agent to attend.