

## LICENSING COMMITTEE

Minute of Meeting of the Licensing Committee held in the Council Chambers, Council Building, 2 High Street, Perth on Thursday 18 November 2010 at 10.00am.

Present: Councillors P Mulheron, J Coburn, B Ellis, J Flynn, D Melloy and H Stewart.

In Attendance: Inspector I Martin and S Michie, Licensing Supervisor (both Tayside Police); L Clark, M Baker, C Elliott and P Frazer (all Chief Executive's Service).

Apologies for Absence: Councillor D Scott.

Councillor P Mulheron, Convener, Presiding.

### 615. DECLARATIONS OF INTEREST

There were no Declarations of Interest made in terms of the Councillors' Code of Conduct.

### 616. MINUTE OF PREVIOUS MEETING

The Minute of the Licensing Committee of 7 October 2010 (Arts. 565-578) 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.

**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.**

### 617. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1119

There was submitted a report by the Head of Legal Services (10/582), together with a letter of information dated 14 October 2010 from the Chief Constable, Tayside Police, regarding grant of Taxi/Private Hire Car Driver's Licence TD1119.

The applicant was in attendance, addressed the Committee and answered members' questions. The representative of the Chief Constable, Tayside Police, also answered members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

**Motion (Councillors P Mulheron and J Flynn) – Taxi/Private Hire Car Driver's Licence TD1119 be granted for three years, with effect from 18 November 2010.**

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Amendment (Councillors H Stewart and J Coburn) – Grant of Taxi/Private Hire Car Driver's Licence TD119 be granted for one year, with effect from 18 November 2010.

Amendment – 2 votes

Motion – 4 votes

**Resolved:**

In accordance with the Motion.

**618. REQUEST TO RECALL SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD623**

There was submitted a report by the Head of Legal Services (10/583) together with (1) a letter dated 30 October 2010 from the applicant; (2) a letter dated 20 August 2010 from D Sweeney, Director, A & B Taxis; and (3) two letters dated 1 August 2008 and 4 November 2010 from the Chief Constable, Tayside Police, regarding a request to recall suspension of Taxi/Private Hire Car Driver's Licence TD623.

The licence holder was in attendance, addressed the Committee and answered members' questions. The representative of the Chief Constable, Tayside Police, also answered members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Motion (Councillors J Coburn and D Melloy) –Recall of Suspension of Taxi/Private Hire Car Driver's Licence TD623 be granted, with effect from 18 November 2010.

**Amendment (Councillors H Stewart and J Flynn) –Recall of Suspension of Taxi/Private Hire Car Driver's Licence TD623 be refused.**

Amendment – 3 votes

Motion – 3 votes

In accordance with Standing Order 45, the Convener exercised a casting vote in accordance with the Amendment.

**Resolved:**

In accordance with the Amendment.

**619. REQUEST TO RECALL SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD702**

There was submitted a report by the Head of Legal Services (10/584) together with a letter dated 28 August 2010 from the applicant and two letters dated 4 May 2010 and 1 October 2010 from the Chief Constable, Tayside Police, regarding a request to recall suspension of Taxi/Private Hire Car Driver's Licence TD702

The licence holder was in attendance, submitted three letters to the Committee, addressed the Committee and answered members' questions. The

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representative of the Chief Constable, Tayside Police, also answered members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

**Resolved:**

Recall of Suspension of Taxi/Private Hire Car Driver's Licence TD702 be refused.

**620. GRANT OF WINDOW CLEANER'S LICENCE – WC3**

There was submitted a report by the Head of Legal Services (10/585) together with a letter of objection dated 27 September 2010 from the Chief Constable, Tayside Police, regarding consideration of grant of Window Cleaner's Licence WC3.

REPRESENTATIVES OF TAYSIDE POLICE LEFT THE MEETING AT THIS POINT.

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

**Resolved:**

Consideration of Grant of Window Cleaner's Licence WC3 be deferred to the next meeting of the Licensing Committee, being held on 20 January 2011, to allow the applicant to provide information from Housing and Community Care – Revenues Division regarding the applicant's Council Tax position.

REPRESENTATIVES OF TAYSIDE POLICE RETURNED TO THE MEETING AT THIS POINT.

**621. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1121**

There was submitted a report by the Head of Legal Services (10/586) together with letter of representation dated 29 October 2010 from the Chief Constable, Tayside Police, regarding consideration of grant of Taxi/Private Hire Car Driver's Licence TD1121.

The applicant was in attendance, addressed the Committee and answered members' questions. The representative of the Chief Constable, Tayside Police, also answered members' questions.

**Resolved:**

Taxi/Private Hire Car Driver's Licence TD1121 be granted for one year, with effect from 18 November 2010.

**622. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1100**

There was submitted a report by the Head of Legal Services (10/581) together with letter of representation dated 19 July 2010 from the Chief Constable, Tayside Police, regarding consideration of grant of Taxi/Private Hire Car Driver's Licence TD1100.

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The applicant was not in attendance.

**Resolved:**

Taxi/Private Hire Car Driver's Licence TD1100 be refused on the grounds that the applicant is not a fit and proper person to be the holder of a Taxi/Private Hire Car Driver's Licence.

REPRESENTATIVES OF TAYSIDE POLICE LEFT THE MEETING AT THIS POINT.

**623. GRANT OF A WINDOW CLEANER'S LICENCE – WC196**

There was submitted a report by the Head of Legal Services (10/587) regarding consideration of grant of Window Cleaner's Licence WC196.

The applicant was not in attendance.

**Resolved:**

Consideration of renewal of Window Cleaner's Licence WC196 be deferred to the next meeting of the Licensing Committee, being held on 20 January 2011, to allow the applicant to attend in person and/or to provide information from Housing and Community Care – Revenues Division regarding his Council Tax position.

**624. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1110**

There was submitted a report by the Head of Legal Services (10/588) regarding consideration of grant of Taxi/Private Hire Care Driver's Licence TD1110.

The Committee noted that this item had been withdrawn from the agenda.

**625. RENEWAL OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD852**

There was submitted a report by the Head of Legal Services (10/589) regarding consideration of renewal of Taxi/Private Hire Care Driver's Licence TD852.

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

**Resolved:**

Renewal of Taxi/Private Hire Care Driver's Licence TD852 be deferred to the meeting of the Licensing Committee being held on 3 March 2011 to allow the applicant to provide information from Housing and Community Care – Revenues Division regarding his Council Tax position.

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