

PERTH AND KINROSS COUNCIL
LICENSING COMMITTEE
23 July 2008

LICENSING COMMITTEE

Minute of Meeting of the Licensing Committee held in the Council Chambers, Council Building, 2 High Street, Perth on Wednesday 23 July 2008 at 10.00am.

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

In Attendance: Inspector E Knox and Sergeant K Copland, Tayside Police; S Rodger, C Robb and K Campbell (all Corporate Services); Y Oliver (Chief Executive's Service).

Councillor P Mulheron, Convener, Presiding.

420. DECLARATIONS OF INTEREST

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

421. MINUTE OF PREVIOUS MEETING

The Minute of Meeting of the Licensing Committee of 18 June 2008 (Arts. 362-373) 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.

422. VARIATION OF MARKET OPERATOR'S LICENCE – MO74

There was submitted a report by the Head of Legal Service (08/377) regarding an application for variation of Market Operator's Licence MO74. The Committee was advised that the report erroneously stated that it was a Skin Piercing and Tattooing Licence.

Resolved:

Variation of Market Operator's Licence MO74 be granted with effect from 23 July 2008.

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

423. SUSPENSION OF SKIN PIERCING AND TATTOOING LICENCE – SP1

There was submitted a report by the Head of Legal Services (08/378) together with copy e-mails dated 18, 19, 20 and 26 April 2008 and memorandum dated 26 May 2008 from the Principal Environmental Health Officer, Perth and Kinross Council regarding suspension of Skin Piercing and Tattooing Licence SP1. The

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Committee was advised that an email had been received from Great China Group Limited, Unit 10, Lion Business Park, River Road, Barking, advising that Herbmedic would no longer be offering a skin piercing service on their premises at Unit 37b, St John's Shopping Centre, King Edward Street, Perth.

Resolved:

Suspension of Skin Piercing and Tattooing Licence SP1, for the duration of the licence (until 9 March 2011), be agreed for the following reasons:

- (i) The carrying on of the activity to which the licence relates was likely to cause a threat to public safety; and
- (ii) A condition of Licence SP1 had been contravened.

424. RENEWAL OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD736

There was submitted a report by the Head of Legal Services (08/379) together with letter of representation from the Chief Constable, Tayside Police, dated 4 June 2008, regarding an application for renewal of Taxi/Private Hire Car Driver's Licence TD736.

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

Renewal of Taxi/Private Hire Car Driver's Licence TD736 be granted for three years.

Amendment (Councillors H Stewart and D Melloy)

Renewal of Taxi/Private Hire Car Driver's Licence TD736 be granted for one year.

Amendment – 2 votes

Motion – 4 votes

Resolved:

Renewal of Taxi/Private Hire Car Driver's Licence TD736 be granted for three years.

425. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD117

There was submitted a report by the Head of Legal Services (08/380) together with letter of representation from the Chief Constable, Tayside Police, dated 6 June 2008, regarding an application for grant of Taxi/Private Hire Car Driver's Licence TD117.

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

AFTER A SHORT ADJOURNMENT THE COMMITTEE RECONVENED.

Motion (Councillors D Scott and P Mulheron)

Taxi/Private Hire Car Driver's Licence TD117 be granted for one year with effect from 23 July 2008, subject to the applicant attending the Vernon Manfield Driver Awareness Course.

Amendment (Councillors H Stewart and J Coburn)

Taxi/Private Hire Car Driver's Licence TD117 be refused, on the basis that the applicant is not a fit and proper person to be the holder of a licence.

Amendment – 4 votes

Motion – 2 votes

Resolved:

Taxi/Private Hire Car Driver's Licence TD117 be refused, on the basis that the applicant is not a fit and proper person to be the holder of a licence.

426. GRANT OF STREET TRADER'S LICENCE – ST166

There was submitted a report by the Head of Legal Services (08/381) together with letter of representation from the Chief Constable, Tayside Police, dated 16 April 2008, regarding an application for grant of Street Trader's Licence ST166.

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

Resolved:

Street Trader's Licence ST166 be granted for three years with effect from 23 July 2008.

427. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD128

There was submitted a report by the Head of Legal Services (08/375) together with letter of representation from the Chief Constable, Tayside Police, dated 23 June 2008, regarding an application for grant of Taxi/Private Hire Car Driver's Licence TD128.

Resolved:

Taxi/Private Hire Car Driver's Licence TD128 be granted for one year with effect from 23 July 2008, subject to the condition that the applicant attend the Vernon Manfield Driver Awareness Course.

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428. GRANT OF SECOND-HAND DEALER'S LICENCE – SD298

There was submitted a report by the Head of Legal Services (08/376) together with letter of representation from the Chief Constable, Tayside Police, dated 19 June 2008, regarding an application for grant of Second Hand Dealer's Licence SD298.

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

Resolved:

Second Hand Dealer's Licence SD298 be granted for three years with effect from 23 July 2008.

INSPECTOR E KNOX AND SERGEANT K COPLAND LEFT THE MEETING AT THIS POINT.

429. RENEWAL OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD657

There was submitted a report by the Head of Legal Services (08/382) regarding an application for renewal of Taxi/Private Hire Car Driver's Licence TD657.

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

Resolved:

Renewal of Taxi/Private Hire Car Driver's Licence TD657 be deferred to the next meeting of the Licensing Committee, being held on 10 September 2008, to allow the Council's legal representative to clarify matters with the applicant's solicitor in connection with the applicant's current Council Tax position.

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