

LICENSING COMMITTEE

Minute of Meeting of the Licensing Committee held in the Council Chambers, Council Building, 2 High Street, Perth, on Wednesday 21 February 2007 at 10.00am.

Present: Councillors A Grant, Mulheron, Cowan and Wilson

In Attendance: Councillor McEwen (up to and including Art. 89); Chief Inspector H Macpherson (Tayside Police); Dr S Curran (Consultant Psychiatrist, NHS Tayside) (up to and including Art. 90); N Campbell (up to and including Art. 89), D Braidwood and C White (all Corporate Services); Y Oliver (Chief Executive's Service).

Apologies for Absence: Councillor E Grant.

Councillor A Grant, Convener, Presiding.

87. DECLARATIONS OF INTEREST

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

88. MINUTE OF PREVIOUS MEETING

The Minute of Meeting of the Licensing Committee of 10 January 2007 (Arts. 1-20) was submitted, approved as a correct record and authorised for signature.

89. CONSIDERATION OF GRANT OF LICENCE FOR HOUSE IN MULTIPLE OCCUPATION, 62 VASART COURT, PERTH – HMO97

There was submitted a report by the Head of Legal Services (07/124) together with emailed letter dated 12 February 2007 from Mrs D Wood, applicant, advising the Committee that the applicant was unable to clarify the situation with regard to occupation of the premises and had requested that the matter be further deferred until the Licensing Committee on 4 April 2007.

Resolved:

Application for grant of Licence for House in Multiple Occupation (HMO97) be deferred to the meeting of the Licensing Committee on 4 April 2007, to enable the applicant to produce the appropriate documentation.

COUNCILLOR MCEWEN AND N CAMPBELL LEFT THE MEETING AT THIS POINT.

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

90. CONSIDERATION OF REQUEST TO RECALL ORDER OF SUSPENSION FOR TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD341

There was submitted a report by the Head of Legal Services (07/125) together with (1) two letters from the applicant received by Corporate Services, one on 19 July 2006 and the second dated 30 October 2006; (2) copy letter from the applicant to Dr Stephen Curran, NHS Tayside, dated 21 November 2006; (3) two letters from the Chief Constable, Tayside Police, dated 16 February 2006 and 3 October 2006; and (4) two letters from Dr Stephen Curran, NHS Tayside, dated 11 December 2006 and 19 December 2006 regarding consideration of request to recall Order of Suspension for Taxi/Private Hire Car Driver's Licence No. TD341.

The applicant was in attendance, accompanied by Dr S Curran. The applicant and Dr Curran addressed the Committee and answered Members' questions. The representative of the Chief Constable also answered Members' questions.

THE COMMITTEE ADJOURNED TO DISCUSS THE REPRESENTATIONS RECEIVED.

THE COMMITTEE RECONVENED.

Resolved:

Application for request to recall Order of Suspension for Taxi/Private Hire Car Driver's Licence No. TD341 be granted for the duration of the existing Licence (to 9 September 2008).

91. CONSIDERATION OF CONTINUATION OF SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD196

There was submitted a report by the Head of Legal Services (07/126) together with letter dated 31 January 2007 from the Chief Constable, Tayside Police, requesting that consideration be given to the continuation of suspension of Taxi/Private Hire Car Driver's Licence No. TD196.

The applicant failed to attend.

Resolved:

Suspension of Taxi/Private Hire Car Driver's Licence No. TD196 be continued with immediate effect for the duration of the Licence (to 21 July 2008) on the basis that the applicant is not a fit and proper person to hold a Licence.

92. CONSIDERATION OF APPLICATION FOR GRANT OF SECOND-HAND MOTOR DEALER'S LICENCE – MD92

There was submitted a report by the Head of Legal Services, (07/127) together with letter of objection from the Chief Constable, Tayside Police, dated 30 January 2007, regarding consideration of application for grant of Second-Hand Motor Dealer's Licence No. MD92.

The applicant failed to attend.

Resolved:

Application for grant of Second-Hand Motor Dealer's Licence No. MD92 be deferred to the meeting of the Licensing Committee on 4 April 2007, in order that the applicant might appear in person.

93. CONSIDERATION OF APPLICATION FOR GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD627

There was submitted a report by the Head of Legal Services (07/128) together with a letter of objection from the Chief Constable, Tayside Police, dated 22 January 2007, regarding consideration of application for grant of Taxi/Private Hire Car Driver's Licence No. TD627.

The Committee noted that the applicant had submitted a letter received on 14 February 2007 withdrawing his application.

94. CONSIDERATION OF APPLICATION FOR GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD637

There was submitted a report by the Head of Legal Services (07/129) together with letter of representation from the Chief Constable, Tayside Police, dated 7 December 2006, regarding consideration of application for grant of Taxi/Private Hire Car Driver's Licence No. TD637.

The applicant failed to attend.

Resolved:

Application for grant of Taxi/Private Hire Car Driver's Licence No. TD637 be deferred to the meeting of the Licensing Committee on 4 April 2007, in order that the applicant might appear in person.

95. CONSIDERATION OF APPLICATION FOR GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD468

There was submitted a report by the Head of Legal Services (07/130) regarding consideration of application for grant of Taxi/Private Hire Car Driver's Licence No. TD468.

The applicant failed to attend.

Resolved:

Application for grant of Taxi/Private Hire Car Driver's Licence No. TD468 be refused on the basis that the applicant is not a fit and proper person to hold a Licence.