

PERTH AND KINROSS COUNCIL
LICENSING COMMITTEE
23 April 2008

LICENSING COMMITTEE

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

Present: Councillors P Mulheron, D Scott, J Coburn, J Flynn, G Hayton (substituting for Councillor W Robertson) and D Melloy.

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

Apologies for Absence: Councillors W Robertson and H Stewart.

Councillor P Mulheron, Convener, Presiding.

234. DECLARATIONS OF INTEREST

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

235. MINUTE OF PREVIOUS MEETING

The Minute of Meeting of the Licensing Committee of 19 March 2008 (Arts. 165-176) 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.

236. VARIATION OF PUBLIC ENTERTAINMENT LICENCE – PE196

There was submitted a report by the Head of Legal Service (08/214) regarding an application for variation of Public Entertainment Licence PE196.

Resolved:

Variation of Public Entertainment Licence PE196 be granted with effect from 23 April 2008.

237. VARIATION OF SECOND-HAND MOTOR DEALER'S LICENCE – MD62

There was submitted a report by the Head of Legal Services (08/215) regarding an application for variation of Second-Hand Motor Dealer's Licence MD62.

Resolved:

Variation of Second-Hand Motor Dealer's Licence MD62 be granted with effect from 23 April 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**

**238. APPLICATION FOR RENEWAL OF TAXI/PRIVATE HIRE CAR DRIVER'S
LICENCE – TD59**

There was submitted a report by the Head of Legal Services (08/216) together with letter of representation from the Chief Constable, Tayside Police, dated 21 March 2008, regarding an application for renewal of Taxi/Private Hire Car Driver's Licence TD59.

The applicant was in attendance, accompanied by his employer, addressed the Committee and answered Members' questions.

Resolved:

Application for renewal of Taxi/Private Hire Car Driver's Licence TD59 be granted for three years with effect from 3 February 2008, with the additional licence condition that the applicant attend the Vernon Manfield Driver Awareness Course.

239. SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD836

There was submitted a report by the Head of Legal Services (08/218) together with letter from the Chief Constable, Tayside Police, dated 20 March 2008, requesting immediate suspension of Taxi/Private Hire Car Driver's Licence TD826.

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

FOLLOWING A SHORT ADJOURNMENT TO CONSIDER REPRESENTATIONS THE COMMITTEE RE-CONVENED.

Resolved:

Taxi/Private Hire Car Driver's Licence TD836 be not suspended, on condition that the licence holder attend the Vernon Manfield Driver Awareness Course within the next six months.

**240. APPLICATION FOR GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S
LICENCE – TD44**

There was submitted a report by the Head of Legal Services (08/217) together with letter of objection from the Chief Constable, Tayside Police, dated 7 April 2008, regarding application for grant of Taxi/Private Hire Car Driver's Licence TD44.

The applicant was in attendance, accompanied by his prospective employer, addressed the Committee and answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT TO CONSIDER REPRESENTATIONS THE COMMITTEE RE-CONVENED.

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Motion (Councillors P Mulheron and D Scott)

Application for grant of Taxi/Private Hire Car Driver's Licence TD44 be granted for one year with effect from 23 April 2008, with the additional licence condition that the applicant attend the first available Vernon Manfield Driver Awareness Course.

Amendment (Councillor D Melloy and G Hayton)

Refuse, on the grounds that the applicant is not a fit and proper person to hold a Taxi/Private Hire Car Driver's Licence .

Amendment – 2 votes

Motion – 4 votes

Resolved:

In accordance with the Motion.

241. CONTINUED SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD540

There was submitted a report by the Head of Legal Services (08/219) together with letter from the Council Doctor, dated 15 February 2008 regarding the continued suspension of Taxi/Private Hire Car Driver's Licence TD540.

Resolved:

The Committee noted that the licence holder had withdrawn his renewal application and that this item was subsequently withdrawn from the agenda.

242. CONTINUED SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD780

There was submitted a report by the Head of Legal Services (08/220) together with letter from the Chief Constable, Tayside Police, dated 17 March 2008, requesting immediate suspension of Taxi/Private Hire Car Driver's Licence TD780.

The Committee was advised that, following receipt of a letter from the Chief Constable, Tayside Police, dated 17 March 2008, the Convener of the Licensing Committee and a Senior Solicitor of the Council acting on behalf of the Head of Legal Services decided on 19 March 2008 to suspend Taxi/Private Hire Car Driver's Licence TD780 with immediate effect.

The licence holder was not in attendance.

Resolved:

Suspension of Taxi/Private Hire Car Diver's Licence TD780 be continued for the duration of the licence (to 6 December 2009).

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