

LICENSING COMMITTEE

Minute of Meeting of the Licensing Committee held in the Committee Room, Council Building, 2 High Street, Perth, on Wednesday 8 March 2006 at 10.00am.

Present: Councillors A Grant, Cowan, Dow, Mulheron and Wilson.

In Attendance: Chief Inspector R Ross (Tayside Police); S Nicoll and P Kerrigan (both Environment Services) and I Innes, S Murray, D Braidwood and C Irons (all Corporate Services).

Apologies for Absence: Councillors Flynn and E Grant.

Councillor A Grant, Presiding.

167. DECLARATIONS OF INTEREST

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

168. MINUTE OF PREVIOUS MEETING

The Minute of Meeting of the Licensing Committee of 23 January 2006 (Arts. 43-66) was submitted, approved as a correct record and authorised for signature.

169. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 (LICENSING OF SKIN PIERCING AND TATTOOING) ORDER 2006

There was submitted a report by the Head of Legal Services (06/170) advising that the Civic Government (Scotland) Act 1982 (Licensing of Skin Piercing and Tattooing) Order 2006 comes into force on 1 April 2006 and seeking approval for the fees for issuing licences.

Resolved:

- (i) That the Licensing of Skin Piercing and Tattooing Order 2006 will come into force on 1 April 2006 and from that date all premises undertaking skin piercing or tattooing will require to apply for a licence, be noted.
- (ii) The fees for application for licences be set at £200 for one year licences and £250 for three year licences.

The Convener proposed that the following item be taken in private, however, the applicant and his solicitor requested it be taken in public.

170. CONSIDERATION OF APPLICATION FOR RENEWAL OF SECOND-HAND MOTOR DEALER'S LICENCE NO. MD26

There was submitted a report by the Head of Legal Services (06/165) together with a letter of representation from the Chief Constable, Tayside Police dated 17 October 2005, regarding consideration of application for renewal of Second-Hand Motor Dealer's Licence No. MD26.

The applicant, Mr Malcolm Stewart, and his legal representative, Mr Muir, were in attendance. Mr Muir addressed the Committee and answered members' questions. The representatives of the Chief Constable and Environment Services also answered members' questions.

THE COMMITTEE ADJOURNED TO CONSIDER A LETTER DATED 18 APRIL 2005 FROM TAYSIDE POLICE, WHICH WAS TABLED.

THE COMMITTEE RECONVENED.

The Head of Legal Services advised the Committee on consideration of alleged incidents by named individuals when those concerned had not consented to the information being submitted to the Committee and it was agreed to proceed with the details provided on the alleged incidents.

THE COMMITTEE ADJOURNED TO CONSIDER FURTHER INFORMATION SUBMITTED BY ENVIRONMENT SERVICES.

THE COMMITTEE RECONVENED.

Photographs of the applicant's business premises were shown to the Committee.

The applicant and his legal representative, representatives of the Chief Constable and Environment Services left the meeting at this point.

THE COMMITTEE ADJOURNED AT 1.00PM.

THE COMMITTEE RECONVENED AT 2.15PM IN ROOM 415, FOURTH FLOOR, COUNCIL BUILDING, 2 HIGH STREET, PERTH.

Councillor Wilson moved that the application for renewal of Second-Hand Motor Dealer's Licence No. MD26 be granted for one year to allow the applicant to comply fully with the maintenance of records of business. On failing to find a seconder, Councillor Wilson's motion fell.

Resolved:

The application for renewal of Second-Hand Motor Dealer's Licence No. MD26 be granted for three years, with effect from 9 March 2006, and the applicant be advised that he must (1) maintain records of business and (2) clearly delineate the area of his business and which vehicles are for sale by him.

171. CONSIDERATION OF CONTINUATION OF SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE NO. TD573

There was submitted a report by the Head of Legal Services (06/166) together with a letter of representation from the Chief Constable, Tayside Police dated 9 February 2006, regarding consideration of continuation of suspension of Taxi/Private Hire Car Driver's Licence No. TD573.

The applicant, Mr Christopher H Knight failed to attend. The representative of the Chief Constable answered members' questions.

Motion – (Councillors Grant and Mulheron) – Licence No. TD573 be suspended to 10 April 2006 when the applicant is due to appear in court.

Amendment – (Councillors Dow and Wilson) – Licence No. TD573 be suspended to the expiry of the licence on 14 June 2006.

Amendment – 3 Votes

Motion – 2 Votes

Resolved:

In accordance with the Amendment.

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

172. CONSIDERATION OF RENEWAL OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE NO. TD216

There was submitted a report by the Head of Legal Services (06/167) together with a medical report dated 17 January 2006, regarding consideration of Renewal of Taxi/Private Hire Car Driver's Licence No. TD216.

The licence holder failed to attend.

Resolved:

Application for renewal of Taxi/Private Hire Car Driver's Licence No. TD665 be refused on medical grounds.

173. CONSIDERATION OF GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE NO. TD81

There was submitted a report by the Head of Legal Services (06/168) together with a medical report dated 17 February 2006, regarding consideration of application for grant of Taxi/Private Hire Car Driver's Licence No. TD81.

The applicant failed to attend.

Resolved:

Application for grant of Taxi/Private Hire Car Driver's Licence No. TD81 be refused on medical grounds.

174. CONSIDERATION OF APPLICATION FOR GRANT OF STREET TRADER'S LICENCE NO. ST70

There was submitted a report by the Head of Legal Services (06/169) together with a letter of representation from the Chief Constable, Tayside Police dated 27 February 2006 regarding consideration of application for grant of Street Trader's Licence No. ST70.

The applicant was in attendance with his legal representative who 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 grant of Street Trader's Licence No. ST70 be granted for a period of six months, with effect from 8 March 2006, with trading commencing no earlier than 4.00pm.