

# LICENSING COMMITTEE

Minute of Meeting of the Licensing Committee held in the Council Chambers, Council Building, 2 High Street, Perth, on Wednesday 4 July 2007 at 10.00am.

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

In Attendance: Inspector Eric Knox (Tayside Police) (up to and including P6 (TD91)); C White (Corporate Services); Y Oliver (Chief Executive's Service).

Apologies for Absence: Councillors J Coburn and W Robertson.

Councillor P Mulheron, Convener, Presiding.

## 422. DECLARATIONS OF INTEREST

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

## 423. MINUTES OF PREVIOUS MEETINGS

The Minute of Meeting of the Licensing Committee of 23 May 2007 (Arts. 279-293) was submitted, approved as a correct record and authorised for signature.

## 424. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – TAXI FARE REVIEW

There was submitted a report by the Head of Legal Services (07/454) outlining the findings of the most recent Taxi Fare Review and proposing an increase in fares, adjustment to the starting distance and an increase in the period of operating tariff 3.

### **Resolved:**

- (i) The undernoted amendments to the scale of taxi fares be approved in principle and in accordance with legislation be advertised with an invitation to lodge representations to the proposals; and
- (ii) Subject to no unfavourable representations being received the undernoted charges be implemented with immediate effect:
  - (a) The initial charge be:

Tariff 1	£2.60 for 880 yards
Tariff 2	£3.20 for 880 yards
Tariff 3	£3.90 for 880 yards
  - (b) The mileage rate be:

Tariff 1 – 10p for 125 yards
Tariff 2 – 10p for 100 yards
Tariff 3 – 10p for 83 yards
  - (c) The times of operation of Tariff 2 be unchanged at 11.00pm to 6.30am
  - (d) Tariff 3 operations time be amended to midnight to midnight on 24, 25, 26 and 31 December and 1 and 2 January.

## 425. CONSIDERATION OF APPLICATION FOR VARIATION OF CONDITION 7 OF STREET TRADER'S LICENCE – ST 130

There was submitted a report by the Head of Legal Services (07/455) together with (i) letter of representation from the Chief Constable, Tayside Police, dated 27 April 2007 and (ii) an email dated

3 April 2007 from the Environment Service regarding consideration of application for variation of Condition 7 of Street Trader's Licence ST130.

The Committee was advised that the applicant was unable to attend and had requested deferral of the application.

**Resolved:**

Application for consideration of Variation of Condition 7 of Street Trader's Licence ST130 be deferred to the next meeting of the Licensing Committee, being held on Wednesday 15 August 2007, to allow the applicant the opportunity to appear in person.

**426. CONSIDERATION OF APPLICATION FOR RENEWAL OF LATE HOURS CATERING LICENCE – LH65**

There was submitted a report by the Head of Legal Services (07/456) together with letter of objection from Miss K Griffin, dated 2 April 2007, regarding consideration of application for renewal of Late Hours Catering Licence LH65.

Mr C Neilson, agent for the applicant, and Mr J Diamond, the Store Manager, were in attendance, addressed the Committee and answered Members' questions.

**Resolved:**

Application for renewal of Late Hours Catering Licence LH65 be granted for a period of three years.

**427. CONSIDERATION OF APPLICATION FOR RENEWAL OF LATE HOURS CATERING LICENCE – LH9**

There was submitted a report by the Head of Legal Services (07/457) together with (i) letter of representation from the Chief Constable, Tayside Police, dated 26 March 2007; (ii) letter from the Chief Fire Officer, Tayside Fire and Rescue, dated 6 April 2007; and (iii) letter from Firepoint Ltd, dated 23 May 2007, regarding consideration of application for renewal of Late Hours Catering Licence LH9.

Mr M Shikari, applicant, and his agent, Mr J Justice, were in attendance, addressed the Committee and answered Members' questions.

**Resolved:**

Application for renewal of Late Hours Catering Licence LH9 be granted for a period of three years.

**428. CONSIDERATION OF APPLICATION FOR RENEWAL OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD228**

There was submitted a report by the Head of Legal Services (07/458) together with letter of objection from the Chief Constable, Tayside Police, dated 14 June 2007, regarding consideration of application for renewal of Taxi/Private Hire Car Driver's Licence TD228.

Mr W Hutchison, applicant, accompanied by Mr Matthew Jones, his employer, were in attendance, addressed the Committee and answered Members' questions.

**Resolved:**

Application for renewal of Taxi/Private Hire Car Driver's Licence TD228 be granted for one year, with the additional licence condition that the applicant attends the Vernon Manfield Course.

**429. CONSIDERATION OF APPLICATION FOR RENEWAL OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD34**

There was submitted a report by the Head of Legal Services (07/459) together with letter of representation from the Chief Constable, Tayside Police, dated 21 May 2007, regarding consideration of application for renewal of Taxi/Private Hire Car Driver's Licence TD34.

Mr W G Gray was in attendance, addressed the Committee and answered Members' questions.

**Resolved:**

Application for the grant of Taxi/Private Hire Car Driver's Licence TD34 be granted for three years, with the additional licence condition that the applicant attends the Vernon Manfield Course.

**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**

**430. CONSIDERATION OF APPLICATION FOR GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1**

The Committee was advised that a letter had been received from the applicant requesting withdrawal of this application.

**431. CONSIDERATION OF APPLICATION FOR GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD775**

There was submitted a report by the Head of Legal Services (07/461) together with letter of representation from the Chief Constable, Tayside Police, dated 7 June 2007, regarding consideration of application for grant of Taxi/Private Hire Car Driver's Licence TD775.

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

**Resolved:**

Application for the grant of Taxi/Private Hire Car Driver's Licence TD775 be granted for one year with effect from 4 July 2007, with the additional licence condition that the applicant attends the Vernon Manfield Course.

**432. CONSIDERATION OF APPLICATION FOR GRANT OF SECOND HAND DEALER LICENCE – SD276**

There was submitted a report by the Head of Legal Services (07/462) together with letter of representation from the Chief Constable, Tayside Police, dated 23 May 2007, regarding consideration of application for grant of Second Hand Dealer Licence SD276.

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

**Resolved:**

The application for grant of Second Hand Dealer Licence SD276 be granted for a period of one year with effect from 4 July 2007.

**433. CONSIDERATION OF APPLICATION FOR GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD822**

There was submitted a report by the Head of Legal Services (07/463) together with letter of objection from the Chief Constable, Tayside Police, dated 11 June 2007, regarding consideration of an application for grant of Taxi/Private Hire Car Driver's Licence TD822.

The Committee was advised that the applicant was unable to attend because the applicant was currently in hospital.

**Resolved:**

The application for grant of Taxi/Private Hire Car Driver's Licence TD822 be deferred to the next meeting of the Licensing Committee, being held on Wednesday 15 August 2007, to allow the applicant the opportunity to appear in person.

**434. CONSIDERATION OF REQUEST TO RECALL ORDER OF SUSPENSION FOR TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD566**

There was submitted a report by the Head of Legal Services (07/464) together with (i) letters from applicant's agent dated 28 May 2007 and 12 June 2007 and (ii) letter for information from the Chief Constable, Tayside Police, dated 24 May 2007, regarding consideration of request to recall Order of Suspension for Taxi/Private Hire Car Driver's Licence TD566.

The applicant and his agent were in attendance, 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 TD566 be granted with the additional licence condition that the licence holder attend the Vernon Manfield Course.

THE COMMITTEE RECONVENED AFTER A SHORT ADJOURNMENT.

**435. CONSIDERATION OF REQUEST TO RECALL ORDER OF SUSPENSION FOR TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD91**

There was submitted a report by the Head of Legal Services (07/465) together with (i) letter from the applicant dated 19 February 2007; (ii) letters from the Chief Constable, Tayside Police, (a) dated 30 November 2006 requesting suspension of licence; and (b) letter for information dated 30 May 2007 regarding consideration of request to recall Order of Suspension for Taxi/Private Hire Car Driver's Licence TD91.

The applicant was in attendance, 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 of Taxi/Private Hire Car Driver's Licence be granted with the additional licence condition that the applicant attends the Vernon Manfield Course.

INSPECTOR E KNOX LEFT THE MEETING AT THIS POINT.

**436. CONSIDERATION OF APPLICATION FOR RENEWAL OF WINDOW CLEANER'S LICENCE - WC66**

There was submitted a report by the Head of Legal Services (07/466) regarding consideration of application for Renewal of Window Cleaner's Licence WC66.

The applicant failed to attend.

**Resolved:**

The application for renewal of Window Cleaner's Licence WC66 be refused on the basis that the applicant is not a fit and proper person to hold a licence.

A Motion by Councillor D Scott to grant the application failed to secure a seconder and the Motion accordingly fell.

**437. CONSIDERATION OF APPLICATION FOR RENEWAL OF PRIVATE HIRE OPERATOR'S LICENCE – PH351**

The Committee was advised that this item had been withdrawn from the agenda as the appropriate documentation required to process the application had been received from the applicant and there was now no need for consideration by the Committee.

**438. CONSIDERATION OF APPLICATION FOR RENEWAL OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD337**

The Committee was advised that this item had been withdrawn from the agenda as the appropriate documentation required to process the application had been received from the applicant and there was now no need for consideration by the Committee.

**439. CONSIDERATION OF APPLICATION FOR GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD315**

There was submitted a report by the Head of Legal Services (07/469) regarding consideration of application for grant of Taxi/Private Hire Car Driver's Licence TD315.

The applicant failed to appear.

**Resolved:**

The application for grant of Taxi/Private Hire Car Driver's Licence TD315 be deferred to the next meeting of the Licensing Committee, being held on Wednesday 15 August 2007, to allow the applicant the opportunity to appear in person.

**440. CONSIDERATION OF APPLICATION FOR GRANT OF WINDOW CLEANER'S LICENCE – WC137**

There was submitted a report by the Head of Legal Services (07/470) regarding consideration of application for grant of Window Cleaner's Licence WC137.

The applicant failed to appear.

**Resolved:**

The application for grant of Window Cleaner's Licence WC137 be deferred to the next meeting of the Licensing Committee, being held on Wednesday 15 August 2007, to allow the applicant the opportunity to appear in person.

**441. CONSIDERATION OF APPLICATION FOR RENEWAL OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD184**

There was submitted a report by the Head of Legal Services (07/471) regarding consideration of renewal of Taxi/Private Hire Car Driver's Licence TD184.

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

**Resolved:**

The application for renewal of Taxi/Private Hire Car Driver's Licence TD184 be granted for a period of one year.

**442. CONSIDERATION OF APPLICATION FOR RENEWAL OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD657**

There was submitted a report by the Head of Legal Services (07/472) regarding consideration of application for renewal of Taxi/Private Hire Car Driver's Licence TD657.

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

THE COMMITTEE ADJOURNED TO DISCUSS THE REPRESENTATIONS RECEIVED.

THE COMMITTEE RECONVENED.

**Resolved:**

The application for renewal of Taxi/Private Hire Car Driver's Licence TD657 be granted for a period of one year.

**443. CONSIDERATION OF APPLICATION FOR GRANT OF PRIVATE HIRE OPERATOR'S LICENCE – PH332**

There was submitted a report by the Head of Legal Services (07/473) regarding consideration of an application for grant of Private Hire Operator's Licence PH332.

The applicant failed to attend.

**Resolved:**

The application for grant of Private Hire Operator's Licence PH332 be deferred to the next meeting of the Licensing Committee, being held on Wednesday 15 August 2007, to allow the applicant the opportunity to appear in person.