

LICENSING COMMITTEE

Minute of Meeting of the Licensing Committee held in the Council Chambers, Council Building, 2 High Street, Perth on Thursday 16 August 2012 at 10.00am.

Present: Councillors J Coburn, B Ellis, R Brock, D Melloy and D Pover.

In Attendance: Inspector D Winter and S Michie, Licensing Supervisor (both Tayside Police) (up to and including Art. 385); S Rodger, W Gibson, L Cormack and Y Oliver (all Chief Executive's Service).

Apologies: Councillors J Flynn and M Roberts.

Councillor J Coburn, Presiding.

379. DECLARATIONS OF INTEREST

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

380. MINUTE OF PREVIOUS MEETING

The Minute of the Licensing Committee of 12 July 2012 (Arts. 335-345) was submitted and approved as a correct record.

In terms of Standing Order 19, the Committee unanimously agreed to vary the order of business.

381. SUSPENSION OF SECOND-HAND DEALER'S LICENCE – SD370

There was submitted a report by the Head of Legal Services (12/324), together with (i) letter from W Gibson, Licensing Enforcement Officer, dated 17 July 2012, to the Clerk to the Licensing Committee; (ii) letters from W Gibson, Licensing Enforcement Officer, dated 26 March 2012, 12 March 2012, 7 February 2012 and 25 January 2012 to the licence holder; and (iii) letter from the licence holder, dated 24 March 2012, to W Gibson, Licensing Enforcement Officer, regarding consideration of suspension of Second-Hand Dealer's Licence SD370.

The applicant was in attendance, accompanied by his business partner, I Watson, and his agent, Mr G Sibbald.

Mr G Sibbald, agent on behalf of the licence holder, addressed the Committee, followed by Mr W Gibson, Licensing Enforcement Officer, who addressed the Committee and answered members' questions.

Resolved:

Consideration of Suspension of Second-Hand Dealer's Licence SD370 be deferred to the next meeting of the Licensing Committee, being held on Thursday

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20 September 2012, to allow the provision of further information to the Licensing Enforcement Officer.

382. GRANT OF TAXI OPERATOR'S LICENCE – X17

There was submitted a report by the Head of Legal Services (12/325) regarding an application for Grant of Taxi Operator's Licence X17.

The applicant was in attendance, accompanied by his agent, Mr P Trodden.

Mrs S Rodger, acting on behalf of the Clerk to the Licensing Committee, addressed the Committee. Mr P Trodden, agent on behalf of the applicant, also addressed the Committee and answered members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

Taxi Operator's Licence X17 be refused, on the grounds that:

- (i) there is no significant unmet demand for taxi services in Perth City; and
- (ii) that the existing policy of limiting taxi numbers to 70 within Perth City should be applied and the Committee was not satisfied that there were any circumstances to justify departing from that policy.

383. RENEWAL OF SECOND-HAND DEALER'S LICENCE – SD96

There was submitted a report by the Head of Legal Services (12/326), together with (i) letter dated 15 November 2011 and (ii) Memo dated 3 July 2012, both from the District Enforcement Officer, Tayside Fire and Rescue Board, regarding Renewal of Second-Hand Dealer's Licence SD96.

The Committee was advised that this item had been withdrawn from the agenda.

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.

384. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1234

There was submitted a report by the Head of Legal Services (12/327), together with letter of representation dated 6 June 2012 from the Chief Constable, Tayside Police, regarding consideration of Grant of Taxi/Private Hire Car Driver's Licence TD1234.

The applicant, accompanied by his wife, was in attendance.

A representative from Tayside Police addressed the Committee and answered members' questions. The applicant and his wife also addressed the Committee and answered members' questions.

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FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Motion (Councillors J Coburn and R Brock)

Taxi/Private Hire Car Driver's Licence TD1234 be granted for a period of one year, with effect from 16 August 2012.

Amendment (Councillors D Melloy and D Pover)

Taxi/Private Hire Car Driver's Licence TD1234 be refused, 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 – 3 votes

Resolved:

Taxi/Private Hire Car Driver's Licence TD1234 be granted for a period of one year, with effect from 16 August 2012.

385. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1236

There was submitted a report by the Head of Legal Services (12/328), together with letter of representation, dated 3 July 2012 from the Chief Constable, Tayside Police, regarding consideration of Grant of Taxi/Private Hire Car Driver's Licence TD1236.

The applicant was not in attendance.

Resolved:

Consideration of Taxi/Private Hire Car Driver's Licence TD1236 be deferred to the next meeting of the Licensing Committee, being held on Thursday 20 September, 2012, to allow the applicant to appear in person.

386. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1237

There was submitted a report by the Head of Legal Services (12/329), together with letter of representation, dated 12 July 2012 from the Chief Constable, Tayside Police, regarding consideration of Grant of Taxi/Private Hire Car Driver's Licence TD1237.

The applicant was in attendance.

A representative from Tayside Police addressed the Committee and answered members' questions. The applicant also addressed the Committee and answered members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

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Resolved:

Taxi/Private Hire Car Driver's Licence TD1237 be granted for a period of one year, with effect from 16 August 2012.

THE REPRESENTATIVES OF TAYSIDE POLICE LEFT THE MEETING AT THIS POINT.

387. RENEWAL OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD94

There was submitted a report by the Head of Legal Services (12/330) regarding consideration of Renewal of Taxi/Private Hire Car Driver's Licence TD94.

The licence holder was not in attendance.

Resolved:

Consideration of Taxi/Private Hire Car Driver's Licence TD94 be deferred to the next meeting of the Licensing Committee, being held on Thursday 20 September 2012, to allow the licence holder to appear in person.

388. RENEWAL OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD949

There was submitted a report by the Head of Legal Services (12/331) regarding consideration of Renewal of Taxi/Private Hire Car Driver's Licence TD949.

The licence holder was not in attendance.

Resolved:

Renewal of Taxi/Private Hire Car Driver's Licence TD949 be granted, with effect from 13 March 2012.

389. RENEWAL OF TAXI OPERATOR'S LICENCE – TO112

There was submitted a report by the Head of Legal Services (12/332) regarding consideration of Renewal of Taxi Operator's Licence TO112.

The licence holder was not in attendance.

Resolved:

Consideration of Renewal of Taxi Operator's Licence TO112 be deferred to the next meeting of the Licensing Committee, being held on Thursday 20 September 2012, to allow the licence holder to appear in person.

390. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1225

There was submitted a report by the Head of Legal Services (12/333), together with report dated 13 April 2012, from Dr D S Foster, regarding consideration of Grant of Taxi/Private Hire Car Driver's Licence TD1225.

The applicant was in attendance.

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Mrs S Rodger, on behalf of the Clerk to the Licensing Committee, addressed the Committee and answered members' questions.

The applicant also addressed the Committee and answered members' questions.

Resolved:

Grant of Taxi/Private Hire Car Driver's Licence TD1225 be refused, on the grounds that the applicant does not meet the Group 2 Standards as defined by the DVLA but delegated powers to grant a subsequent application for a Taxi/Private Hire Car Driver's Licence TD1225 be given to the Clerk to the Licensing Committee, if satisfactory medical evidence is provided.

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