

SPECIAL MEETING OF THE LICENSING COMMITTEE

Minute of Special Meeting of the Licensing Committee held in the Committee Room, Council Building, 2 High Street, Perth on Tuesday 6 November 2012 at 9.15am.

Present: Councillors J Coburn, B Ellis, D Melloy and M Roberts.

In Attendance: Inspector B Kerr and S Michie, Licensing Supervisor (both Tayside Police); L Clark, W Gibson, and P Frazer (all Chief Executive's Service).

Apologies: Councillors R Brock, J Flynn, and D Pover.

Councillor J Coburn, Presiding.

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.

531. DECLARATIONS OF INTEREST

Following an objection from the Applicant's legal representative, Councillor D Melloy withdrew from the meeting.

532. CONTINUATION OF SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD85

There was submitted a report by the Head of Legal Services (12/490), together with a letter requesting immediate suspension, dated 8 October 2012, from the Chief Constable, Tayside Police, regarding consideration of Continuation of Suspension of Taxi/Private Hire Car Driver's Licence TD85.

The applicant, accompanied by his legal representative K Gilmartin, was in attendance, addressed the Committee and answered members' questions. A representative from Tayside Police also addressed the Committee and answered members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

Suspension of Taxi/Private Hire Car Driver's Licence TD85 be continued with immediate effect for the period the licence could continue to have effect, were it not for the suspension.

533. RENEWAL OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE - TD85

There was submitted a report by the Head of Legal Services (12/491) together with: (1) a letter of objection; and (2) a request for immediate suspension, both dated 8 October 2012 from the Chief Constable, Tayside Police, regarding consideration of Renewal of Taxi/Private Hire Car Driver's Licence TD85.

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The applicant, accompanied by his legal representative K Gilmartin, was in attendance, addressed the Committee and requested consideration of renewal of Taxi/Private Hire Car Driver's Licence TD85 be deferred to a future meeting of the Licensing Committee, for the outcome of legal proceedings to be known to the Committee.

Resolved:

Consideration of Renewal of Taxi/Private Hire Car Driver's Licence TD85 be deferred to a future meeting of the Licensing Committee, for the outcome of legal proceedings to be known to the Committee.

THE COMMITTEE UNANIMOUSLY DECIDED TO CONJOIN CONSIDERATION OF ITEMS P3, P4, P5, P6, P7, P8 AND P9 ON THE AGENDA. THE APPLICANT AGREED TO THIS COURSE OF ACTION

534. SUSPENSION OF PRIVATE HIRE CAR OPERATOR'S LICENCE – PH209

There was submitted a report by the Head of Legal Services (12/492), together with a request for suspension, dated 8 October 2012, from the Chief Constable, Tayside Police, regarding consideration of Suspension Of Private Hire Car Operator's Licence PH209

The applicant, accompanied by his legal representative K Gilmartin, was in attendance, addressed the Committee and answered members' questions. A representative from Tayside Police also addressed the Committee and answered members' questions. In addition, Mr W Gibson, Licensing Enforcement Officer, Perth and Kinross Council addressed the Committee.

A letter of support from Wisecraft was tabled by the Applicant.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

Private Hire Operator's Licence PH209 be not suspended, subject to conditions to be notified to the applicant by the Council's Licensing Officer.

535. SUSPENSION OF PRIVATE HIRE CAR OPERATOR'S LICENCE – PH217

There was submitted a report by the Head of Legal Services (12/493), together with a request for suspension, dated 8 October 2012, from the Chief Constable, Tayside Police, regarding consideration of Suspension Of Private Hire Car Operator's Licence PH217

The applicant, accompanied by his legal representative K Gilmartin, was in attendance, addressed the Committee and answered members' questions. A representative from Tayside Police also addressed the Committee and answered members' questions. In addition, Mr W Gibson, Licensing Enforcement Officer, Perth and Kinross Council addressed the Committee.

A letter of support from Wisecraft was tabled by the Applicant.

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Resolved:

Private Hire Operator's Licence PH217 be not suspended, subject to conditions to be notified to the applicant by the Council's Licensing Officer.

536. SUSPENSION OF PRIVATE HIRE CAR OPERATOR'S LICENCE – PH227

There was submitted a report by the Head of Legal Services (12/494), together with a request for suspension, dated 8 October 2012, from the Chief Constable, Tayside Police, regarding consideration of Suspension Of Private Hire Car Operator's Licence PH227

The applicant, accompanied by his legal representative K Gilmartin, was in attendance, addressed the Committee and answered members' questions. A representative from Tayside Police also addressed the Committee and answered members' questions. In addition, Mr W Gibson, Licensing Enforcement Officer, Perth and Kinross Council addressed the Committee.

A letter of support from Wisecraft was tabled by the Applicant.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

Private Hire Operator's Licence PH227 be not suspended, subject to conditions to be notified to the applicant by the Council's Licensing Officer.

537. SUSPENSION OF PRIVATE HIRE CAR OPERATOR'S LICENCE – PH306

There was submitted a report by the Head of Legal Services (12/495), together with a request for suspension, dated 8 October 2012, from the Chief Constable, Tayside Police, regarding consideration of Suspension Of Private Hire Car Operator's Licence PH306

The applicant, accompanied by his legal representative K Gilmartin, was in attendance, addressed the Committee and answered members' questions. A representative from Tayside Police also addressed the Committee and answered members' questions. In addition, Mr W Gibson, Licensing Enforcement Officer, Perth and Kinross Council addressed the Committee.

A letter of support from Wisecraft was tabled by the Applicant.

Resolved:

Private Hire Operator's Licence PH306 be not suspended, subject to conditions to be notified to the applicant by the Council's Licensing Officer.

538. SUSPENSION OF PRIVATE HIRE CAR OPERATOR'S LICENCE – PH320

There was submitted a report by the Head of Legal Services (12/496), together with a request for suspension, dated 8 October 2012, from the Chief Constable, Tayside Police, regarding consideration of Suspension Of Private Hire Car Operator's Licence PH320.

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The applicant, accompanied by his legal representative K Gilmartin, was in attendance, addressed the Committee and answered members' questions. A representative from Tayside Police also addressed the Committee and answered members' questions. In addition, Mr W Gibson, Licensing Enforcement Officer, Perth and Kinross Council addressed the Committee.

A letter of support from Wisecraft was tabled by the Applicant.

Resolved:

Private Hire Operator's Licence PH320 be not suspended, subject to conditions to be notified to the applicant by the Council's Licensing Officer.

539. SUSPENSION OF PRIVATE HIRE CAR OPERATOR'S LICENCE – PH405

There was submitted a report by the Head of Legal Services (12/497), together with a request for suspension, dated 8 October 2012, from the Chief Constable, Tayside Police, regarding consideration of Suspension Of Private Hire Car Operator's Licence PH405.

The applicant, accompanied by his legal representative K Gilmartin, was in attendance, addressed the Committee and answered members' questions. A representative from Tayside Police also addressed the Committee and answered members' questions. In addition, Mr W Gibson, Licensing Enforcement Officer, Perth and Kinross Council addressed the Committee.

A letter of support from Wisecraft was tabled by the Applicant.

Resolved:

Private Hire Operator's Licence PH405 be not suspended, subject to conditions to be notified to the applicant by the Council's Licensing Officer.

540. SUSPENSION OF PRIVATE HIRE CAR OPERATOR'S LICENCE – PH412

There was submitted a report by the Head of Legal Services (12/498), together with a request for suspension, dated 8 October 2012, from the Chief Constable, Tayside Police, regarding consideration of Suspension Of Private Hire Car Operator's Licence PH412.

The applicant, accompanied by his legal representative K Gilmartin, was in attendance, addressed the Committee and answered members' questions. A representative from Tayside Police also addressed the Committee and answered members' questions. In addition, Mr W Gibson, Licensing Enforcement Officer, Perth and Kinross Council addressed the Committee.

A letter of support from Wisecraft was tabled by the Applicant.

Resolved:

Private Hire Operator's Licence PH412 be not suspended, subject to conditions to be notified to the applicant by the Council's Licensing Officer.

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