

PERTH AND KINROSS COUNCIL  
LICENSING COMMITTEE  
27 JUNE 2013

## LICENSING COMMITTEE

Minute of Meeting of the Licensing Committee held in the Council Chambers, Council Building, 2 High Street, Perth on Thursday 27 June 2013 at 10.00am.

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

In Attendance: Mr B Kerr and Mrs S Michie, Licensing Supervisors, Police Scotland; S Rodger, L Cormack, Y Oliver (up to and including Art. 430) and P Frazer (from Art. 431 onwards) (all Chief Executive's Service).

J Coburn (Convener), Presiding.

### 423. DECLARATIONS OF INTEREST

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

### 424. MINUTES OF PREVIOUS MEETINGS

- (i) The Minute of the Licensing Committee of 16 May 2013 (Arts. 299-303) was submitted and approved as a correct record.
- (ii) The Minute of the Special Meeting of the Licensing Committee of 10 June 2013 (Arts. 363-364) was submitted and approved as a correct record.

*IN TERMS OF STANDING ORDER 19 THE COMMITTEE UNANIMOUSLY AGREED TO VARY THE ORDER OF BUSINESS.*

### 425. VARIATION OF TAXI OPERATOR'S LICENCE – TO21

There was submitted a report by the Head of Legal Services (13/341) together with (i) letter received 21 May 2013 from the licence holder; (ii) current Certificate of Fitness; and (iii) photo of vehicle regarding Variation of Taxi Operator's Licence TO21.

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

**Resolved:**

Taxi Operator's Licence TO21 be varied for a period of nine months, to extend the age limit for replacement of the vehicle, with effect from 11 August 2013 to 14 May 2014.

### 426. VARIATION OF PRIVATE HIRE OPERATOR'S LICENCE – PH189

There was submitted a report by the Head of Legal Services (13/340) together with letter received 7 June 2013 from the licence holder, regarding Variation of Private Hire Operator's Licence PH189.

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The licence holder was in attendance, addressed the Committee and answered members' questions.

**Resolved:**

Private Hire Operator's Licence PH189 be varied for one year, to extend the age limit for replacement of the vehicle, with effect from 15 August 2013.

**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.**

**427. GRANT OF SECOND HAND MOTOR VEHICLE DEALER LICENCE – MD201**

There was submitted a report by the Head of Legal Services (13/342), together with letter of objection dated 11 March 2013 from Tayside Police (now Police Scotland) regarding consideration of Grant of Second Hand Motor Vehicle Dealer's Licence MD201.

The applicant was in attendance, accompanied by his representative, Mr F Blackie, who both addressed the Committee and answered members' questions. The representative from Police Scotland also answered members' questions.

*FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.*

**Resolved:**

Second Hand Motor Vehicle Dealer's Licence MD201 be refused, on the grounds that the applicant is not a fit and proper person to be the holder of a Second Hand Motor Vehicle Dealer's Licence.

**428. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1296**

There was submitted a report by the Head of Legal Services (13/343), together with letter of representation dated 3 May 2013 from Police Scotland, regarding consideration of Grant of Taxi/Private Hire Car Driver's Licence TD1296.

The applicant was not in attendance.

**Resolved:**

Consideration of Taxi/Private Hire Car Driver's Licence TD1296 be deferred to the next meeting of the Licensing Committee, being held on Thursday 8 August 2013, to allow the applicant to attend in person.

**429. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1297**

There was submitted a report by the Head of Legal Services (13/344), together with letter of representation dated 23 April 2013 from Police Scotland, regarding consideration of Grant of Taxi/Private Hire Car Driver's Licence TD1297.

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The applicant was in attendance, addressed the Committee and answered members' questions. The representative from Police Scotland also answered members' questions.

*FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.*

Motion (Councillors J Coburn and D Pover)

Taxi/Private Hire Car Driver's Licence TD1297 be granted for a period of 1 year, with effect from 27 June 2013.

**Amendment (Councillors D Melloy and J Flynn)**

**Taxi/Private Hire Car Driver's Licence TD1297 be granted for a period of 3 years, with effect from 27 June 2013.**

In accordance with Standing Order 44, a roll call vote was taken.

4 Members voted for the Amendment as follows:  
Councillors B Ellis, R Brock, J Flynn and D Melloy.

2 Members voted for the Motion as follows:  
Councillors J Coburn and D Pover.

**Resolved:**

In accordance with the Amendment.

**430. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1300**

There was submitted a report by the Head of Legal Services (13/345), together with letter of objection dated 17 May 2013 from Police Scotland regarding consideration of Grant of Taxi/Private Hire Car Driver's Licence TD1300.

The applicant was in attendance, accompanied by his representative, Ms P Cullerton, who both addressed the Committee and answered members' questions. The representative from Police Scotland also answered members' questions.

*FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.*

**Motion (Councillors D Melloy and D Pover)**

**Taxi/Private Hire Car Driver's Licence No. TD1300 be refused, on the grounds that the applicant is not a fit and proper person to be the holder of a Taxi/Private Hire Car Driver's Licence.**

Amendment (Councillors J Coburn and B Ellis)

Taxi/Private Hire Car Driver's Licence No. TD1300 be granted for a period of one year, with effect from 27 June 2013.

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In accordance with Standing Order 44, a roll call vote was taken.

2 Members voted for the Amendment as follows:  
Councillors J Coburn and B Ellis.

4 Members voted for the Motion as follows:  
Councillors R Brock, J Flynn, D Melloy and D Pover.

**Resolved:**

In accordance with the Motion.

*MRS Y OLIVER LEFT THE MEETING AT THIS POINT AND MS P FRAZER ENTERED THE MEETING.*

**431. GRANT OF WINDOW CLEANER'S LICENCE – WC243**

There was submitted a report by the Head of Legal Services (13/346), together with letter of representation dated 8 May 2013 from Police Scotland, regarding consideration of Grant of Window Cleaner's Licence WC243.

The applicant was in attendance, addressed the Committee and answered members' questions. The representative of Police Scotland also answered members' questions.

**Resolved:**

Window Cleaner's Licence WC243 be granted for a period of 1 year, with effect from 27 June 2013.

**432. RENEWAL OF PRIVATE HIRE CAR LICENCE – PH152**

There was submitted a report by the Head of Legal Services (13/347) regarding consideration of Renewal of Private Hire Car Licence PH152.

The Committee noted that this item had been withdrawn from the agenda as the issue had been resolved.

**433. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1282**

There was submitted a report by the Head of Legal Services (13/348) together with medical reports dated 15 February 2013 and 29 March 2013 from Dr Foster of Glover Street Medical Centre, regarding consideration of Grant of Taxi/Private Hire Car Driver's Licence TD1282.

The Committee noted that this item had been withdrawn from the agenda as the issue had been resolved.

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