

LICENSING COMMITTEE

Minute of Meeting of the Licensing Committee held in the Council Chambers, Council Building, 2 High Street, Perth on Thursday 19 September 2013 at 10.00am.

Present: Councillors R Ellis (Vice-Convener), R Brock, D Melloy and D Pover.

In Attendance: Inspector F Jarrett and Mr B Kerr, Licensing Supervisor (both Police Scotland); S Rodger, W Gibson, M Baker and Y Oliver (all Chief Executive's Service).

Apologies: Councillors J Coburn, J Flynn and M Roberts.

B Ellis (Vice-Convener), Presiding.

540. DECLARATIONS OF INTEREST

Councillor R Brock declared a non-financial interest in Arts. 542 and 543 in terms of the Councillors' Code of Conduct.

541. MINUTE OF PREVIOUS MEETING

The Minute of the Licensing Committee of 8 August 2013 (Arts. 446-458) was submitted and approved as a correct record.

COUNCILLOR R BROCK LEFT THE CHAMBERS AT THIS POINT.

THE COMMITTEE UNANIMOUSLY AGREED TO CONJOIN THE FOLLOWING TWO APPLICATIONS.

542. VARIATION OF TAXI OPERATOR'S LICENCE – TO114

There was submitted a report by the Head of Legal Services (13/453) together with letter received 14 August 2013 from the licence holder regarding Variation of Taxi Operator's Licence TO114.

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

Resolved:

Taxi Operator's Licence TO114 be varied for a period of one year, to extend the age limit for replacement of the vehicle, with effect from 1 September 2013.

543. VARIATION OF TAXI OPERATOR'S LICENCE – TO116

There was submitted a report by the Head of Legal Services (13/454) together with letter received 14 August 2013 from the licence holder, regarding Variation of Taxi Operator's Licence TO116.

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

Resolved:

Taxi Operator's Licence TO116 be varied for a period of one year, to extend the age limit for replacement of the vehicle, with effect from 1 September 2013.

COUNCILLOR R BROCK RETURNED TO THE CHAMBERS AT THIS POINT.

544. VARIATION OF PRIVATE HIRE OPERATOR'S LICENCE – PH311

There was submitted a report by the Head of Legal Services (13/455) together with letter dated 30 July 2013 from the licence holder, regarding Variation of Private Hire Operator's Licence PH311.

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

Resolved:

Private Hire Operator's Licence PH311 be varied for a period of one year, to extend the age limit for replacement of the vehicle, with effect from 25 September 2013.

545. GRANT OF LATE HOURS CATERING LICENCE – LH111

There was submitted a report by the Head of Legal Services (13/456) together with letters of objection dated 18 and 23 June 2013 from neighbouring residents regarding consideration of Grant of Late Hours Catering Licence LH111.

The applicant was in attendance, accompanied by his wife. Mrs N Bilginer, objector to the application, was also in attendance, addressed the Committee and answered Members' questions. The applicant and his wife also addressed the Committee and answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

Late Hours Catering Licence LH111 be granted to 12 midnight, on Thursday, Friday and Saturday evenings only, for a period of three years, with effect from 19 September 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.

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546. REQUEST TO RECALL SUSPENSION OF TAXI/PRIVATE HIRE DRIVER'S LICENCE – TD82

There was submitted a report by the Head of Legal Services (13/457), together with (i) letter dated 10 June 2013 from Messrs Ward & Co, Solicitors, on behalf of the applicant and (ii) letter dated 17 July 2013 from Police Scotland, regarding consideration of Recall of Suspension of Taxi/Private Hire Car Driver's Licence TD82.

The applicant was not in attendance.

Resolved:

Members were advised that this item had been withdrawn from the Agenda at the request of the applicant.

547. SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1314

There was submitted a report by the Head of Legal Services (13/458), together with (i) letter requesting immediate suspension dated 13 August 2013 from Police Scotland; (ii) letter dated 20 August 2013 from Mr W Gibson, Licensing Enforcement Officer, Perth and Kinross Council; and (iii) copy e-mail dated 18 July 2013 from Mr A MacDonald together with e-mail reply dated 19 July 2013 from Perth and Kinross Council's Civic Licensing – Generic E-mail Account regarding consideration of Suspension of Taxi/Private Hire Car Driver's Licence TD1314.

The applicant was not in attendance. The representative from Police Scotland addressed the Committee and answered members' questions.

Resolved:

Taxi/Private Hire Car Driver's Licence TD1314 be suspended for the duration of the unexpired portion of the licence, i.e. to 16 July 2016, on the grounds that the licence holder is no longer a fit and proper person to hold a Taxi/Private Hire Car Driver's Licence.

548. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1322

There was submitted a report by the Head of Legal Services (13/459), together with letter of information dated 30 July 2013 from Police Scotland, regarding consideration of Grant of Taxi/Private Hire Car Driver's Licence TD1322.

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

Resolved:

Taxi/Private Hire Car Driver's Licence TD1322 be granted for a period of 3 years, with effect from 19 September 2013.

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THE COMMITTEE UNANIMOUSLY AGREED TO VARY THE ORDER OF BUSINESS.

549. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1317

There was submitted a report by the Head of Legal Services (13/461), together with letter of representation dated 24 July 2013 from Police Scotland, regarding consideration of Grant of Taxi/Private Hire Car Driver's Licence TD1317.

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

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

Taxi/Private Hire Car Driver's Licence TD1317 be granted for a period of 1 year, with effect from 19 September 2013.

550. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1319

There was submitted a report by the Head of Legal Services (13/460), together with letter of objection dated 30 July 2013 from Police Scotland regarding consideration of Grant of Taxi/Private Hire Car Driver's Licence TD1319.

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

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

Taxi/Private Hire Car Licence TD1319 be refused, on the grounds that the applicant is not a fit and proper person to be the holder of Taxi/Private Hire Car Licence TD1319.

551. GRANT OF WINDOW CLEANER'S LICENCE – WC246

There was submitted a report by the Head of Legal Services (13/463) together with letter of representation dated 23 July 2013 from Police Scotland, regarding consideration of Grant of Window Cleaner's Licence WC246.

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

Resolved:

Window Cleaner's Licence WC246 be granted for a period of 1 year, with effect from 19 September 2013.

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552. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1325

There was submitted a report by the Head of Legal Services (13/462) together with letter of objection dated 26 August 2013 from Police Scotland regarding consideration of Grant of Taxi/Private Hire Car Driver's Licence TD1325.

The applicant was not in attendance.

Resolved:

Consideration of Taxi/Private Hire Car Driver's Licence No. TD1325 be deferred to the next meeting of the Licensing Committee, being held on 31 October 2013, to allow the applicant to appear in person.

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