

PERTH AND KINROSS COUNCIL
LICENSING COMMITTEE
11 APRIL 2013

LICENSING COMMITTEE

Minute of Meeting of the Licensing Committee held in the Council Chambers, Council Building, 2 High Street, Perth on Thursday 11 April 2013 at 10.00am.

Present: Councillors J Coburn (Convener), R Brock, J Flynn, D Pover and M Roberts.

In Attendance: Chief Superintendent J Leslie (up to and including Art. 198), S Michie and B Kerr, Licensing Supervisors (all Police Service of Scotland); A White and J Watson (up to and including Art. 198) (both the Environment Service); S Rodger, W Gibson, M Baker, S Watson and Y Oliver (all Chief Executive's Service).

Apologies: Councillors B Ellis and D Melloy.

Councillor J Coburn (Convener), Presiding.

200. DECLARATIONS OF INTEREST

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

201. MINUTE OF PREVIOUS MEETING

The Minute of the Licensing Committee of 21 February 2013 (Arts. 100-108) was submitted and approved as a correct record.

202. NOTIFICATION OF PUBLIC PROCESSION FOR 25 MAY 2013

There was submitted a report by the Head of Legal Services (13/154), together with letter dated 25 February 2013 from Tayside Police (now Police Service of Scotland) regarding Notification of Public Procession for 25 May 2013.

Superintendent J Leslie, representing the Police Service of Scotland, addressed the Committee and answered Members' questions. The applicants, represented by Mr D Walters and Mr W Campbell, addressed the Committee and answered Members' questions. Officers from Perth and Kinross Council also answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

Notification of Public Procession for 25 May 2013 be accepted and an Order be made imposing the conditions as set out in Appendix 1 to Report 13/154, but subject also to the conditions requested by Tayside Police (now the Police Service of Scotland) as detailed in their letter dated 25 February 2013 to the Head of Legal Services, namely:

- a) That pre-determined breaks are incorporated into the procession for traffic management purposes in order to alleviate congestion issues and the potential for such problems.

PERTH AND KINROSS COUNCIL
LICENSING COMMITTEE
11 APRIL 2013

- b) That further breaks will be implemented as required, as a contingency, for traffic management purposes.
- c) That Organisers ensure that adequate stewarding is present at the event and that all Stewards are easily identifiable with appropriate Steward Supervisors.

203. VARIATION OF TAXI OPERATOR'S LICENCE – TO75

There was submitted a report by the Head of Legal Services (13/155), together with letter dated 25 March 2013 from the licence holder, regarding Variation of Taxi Operator's Licence TO75.

The licence holder was in attendance, addressed the Committee and answered members' questions. Mr W Gibson, Licensing Enforcement Officer, Perth and Kinross Council, also answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

Taxi Operator's Licence TO75 be varied for four months, to extend the age limit for replacement of the vehicle, with effect from 28 April 2013.

204. GRANT OF SECOND HAND MOTOR VEHICLE DEALER'S LICENCE – MD200

There was submitted a report by the Head of Legal Services (13/156), together with two letters of objection from neighbouring residents both dated 15 February 2013, regarding Grant of Second Hand Motor Vehicle Dealer's Licence MD200.

The licence holder was not in attendance.

Resolved:

Grant of Second Hand Motor Vehicle Dealer's Licence MD200 be deferred to the next meeting of the Licensing Committee, being held on Thursday 16 May 2013, for the purposes of providing further information to the Committee.

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.

The Committee unanimously decided to conjoin representations for Arts. 205 and 206.

205. RENEWAL OF PRIVATE HIRE CAR LICENCE – PH249

There was submitted a report by the Head of Legal Services (13/157), together with letter of objection dated 26 February 2013 from Tayside Police (now Police Service of Scotland), regarding Renewal of Private Hire Car Licence PH249. Supplementary information had also been provided by the licence holder's agent.

PERTH AND KINROSS COUNCIL
LICENSING COMMITTEE
11 APRIL 2013

The applicant was in attendance, accompanied by his agent, Mr G Sutherland. A representative of the Police Service of Scotland addressed the Committee and answered members' questions. The applicant's agent then addressed the Committee and, together with the applicant, also answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

Private Hire Car Operator's Licence PH249 be renewed for a period of 1 year, with effect from 18 March 2013.

206. SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1055

There was submitted a report by the Head of Legal Services (13/158), together with letter dated 26 February 2013 from Tayside Police (now Police Service of Scotland), requesting Suspension of Taxi/Private Hire Car Driver's Licence TD1055.

The applicant was in attendance, accompanied by his agent, Mr G Sutherland. A representative of the Police Service of Scotland addressed the Committee and answered members' questions. The applicant's agent then addressed the Committee and, together with the applicant, also answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

Taxi/Private Hire Car Driver's Licence be not suspended.

207. SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD612

There was submitted a report by the Head of Legal Services (13/159), together with letter dated 13 March 2013 from Mr W Gibson, Licensing Enforcement Officer, Perth and Kinross Council, requesting consideration of Suspension of Taxi/Private Hire Car Driver's Licence TD612. A letter dated 9 April 2013 from the licence holder's agent was tabled at the meeting.

The applicant was in attendance. Mr W Gibson, Licensing Enforcement Officer, Perth and Kinross Council, answered Members' questions. The licence holder addressed the Committee and also answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Motion (Councillors J Flynn and R Brock)

Taxi/Private Hire Car Driver's Licence TD612 be suspended for a period of two weeks with effect from Thursday 11 April 2013.

PERTH AND KINROSS COUNCIL
LICENSING COMMITTEE
11 APRIL 2013

Amendment (Councillors M Roberts and D Pover)

Taxi/Private Hire Car Driver's Licence TD612 be suspended for a period of one month with effect from Thursday 11 April 2013.

In accordance with Standing Order 43, a roll call vote was taken.

2 Members voted for the Amendment as follows:

Councillors M Roberts and D Pover.

3 Members voted for the Motion as follows:

Councillors J Coburn, R Brock and J Flynn.

Resolved:

In accordance with the Motion.

208. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1289

There was submitted a report by the Head of Legal Services (13/160), together with letter dated 14 March 2013 from Tayside Police (now the Police Service of Scotland) regarding Grant of Taxi/Private Hire Car Driver's Licence TD1289.

The applicant was in attendance. The representative of the Police Service of 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 TD1289 be granted for a period of one year, with effect from 11 April 2013.

209. GRANT OF PRIVATE HIRE CAR OPERATOR'S LICENCE – PH410

There was submitted a report by the Head of Legal Services (13/161) together with letter of objection dated 20 February 2013 from Tayside Police (now the Police Service of Scotland) regarding Grant of Private Hire Car Operator's Licence PH410.

The applicant was not in attendance. The representative of the Police Service of Scotland addressed the Committee and answered Members' questions.

Resolved:

Grant of Private Hire Car Operator's Licence PH410 be refused, on the grounds that a director of the applicant company is not a fit and proper person to be the holder of Private Hire Car Operator's Licence PH410.

PERTH AND KINROSS COUNCIL
LICENSING COMMITTEE
11 APRIL 2013

210. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1283

There was submitted a report by the Head of Legal Services (13/162) regarding Grant of Taxi/Private Hire Car Driver's Licence TD1283.

The applicant was not in attendance.

Resolved:

Grant of Taxi/Private Hire Car Driver's Licence TD1283 be deferred to the next meeting of the Licensing Committee, being held on 16 May 2013, to allow the applicant to appear in person.

~~~~~