

PERTH AND KINROSS COUNCIL
LICENSING COMMITTEE
12 DECEMBER 2013

LICENSING COMMITTEE

Minute of Meeting of the Licensing Committee held in the Council Chambers, Council Building, 2 High Street, Perth on Thursday 12 December 2013 at 10.00am.

Present: Councillors J Coburn (Convener), R Brock, J Flynn, D Melloy (up to and including Art. 751) and D Pover.

In Attendance: Mr B Kerr, Licensing Supervisor and Mrs S Michie, (both Police Scotland); K McNamara, Head of Environmental and Consumer Services and J Dixon, Regulatory Services Manager (up to and including Art. 750) (both the Environment Service); I Innes, Head of Legal Services, M McLaren, W Gibson, J Frawley, Y Oliver and N Storrar (all Chief Executive's Service).

Apologies: Councillors R Ellis and M Roberts.

J Coburn (Convener), Presiding.

747. DECLARATIONS OF INTEREST

Councillor D Melloy declared a non-financial interest in Arts. 752-754 in terms of the Councillors' Code of Conduct.

748. MINUTE OF PREVIOUS MEETING

The Minute of the Licensing Committee of 31 October 2013 (Arts. 617-623) was submitted and approved as a correct record.

749. REQUEST FOR SUBSTITUTION OF VEHICLE NO. PH352

There was submitted a report by the Head of Legal Services (13/585), regarding Request for Substitution of Vehicle No. PH352.

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

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

Request for Substitution of Vehicle No. PH352 be refused, on the grounds that the vehicle on the application submitted does not meet the specification for a private hire vehicle as detailed in the Handbook of Conditions of Taxi and Private Hire Car Operators' and Taxi and Private Hire Car Drivers' Licences.

750. VARIATION OF PUBLIC ENTERTAINMENT LICENCE – PE150

There was submitted a report by the Head of Legal Services (13/596), together with representations from Councillors D Cuthbert, J Giacomazzi and

PERTH AND KINROSS COUNCIL
LICENSING COMMITTEE
12 DECEMBER 2013

W Robertson, Local Members representing Ward 8, regarding Variation of Public Entertainment Licence PE150.

Mr I Innes, Head of Legal Services advised members that Councillors J Giacobazzi and W Robertson had withdrawn their representations. He also advised that the Community Councils of Fossoway and District and Muckhart had no objections to the variation and Police Scotland had also confirmed that they had no objections.

G Ellis, C Rodger and M Currie, on behalf of DF Concerts were in attendance, addressed the Committee and answered members' questions.

Mr K McNamara, Head of Environmental and Consumer Services, also addressed the Committee and answered members' questions.

Resolved:

Public Entertainment Licence PE150 be varied for the full arena area for Saturday 12 July 2014 only.

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.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

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

751. REQUEST TO RECALL SUSPENSION OF SECOND HAND DEALER'S LICENCE – SD413

There was submitted a report by the Head of Legal Services (13/590), together with (i) letter of information dated 17 October 2013 from McCash & Hunter, Solicitors, agents for the applicant (together with various enclosures); (ii) letter of request for suspension of Second Hand Dealer's Licence dated 18 July 2013 from Police Scotland, all regarding Request to Recall Suspension of Second Hand Dealer's Licence SD413. An affidavit from the applicant's wife was also circulated to the Committee by the applicant's agent.

The applicant was in attendance, accompanied by his agent, Mr P Trodden, who addressed the Committee and answered members' questions. The representative of Police Scotland addressed the Committee and answered members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

PERTH AND KINROSS COUNCIL
LICENSING COMMITTEE
12 DECEMBER 2013

Resolved:

Suspension of Second Hand Dealer's Licence SD413 be not recalled, on the grounds that the applicant is not a fit and proper person to be the holder of Second Hand Dealer's Licence SD413.

COUNCILLOR D MELLOY, HAVING DECLARED A NON-FINANCIAL INTEREST IN THE FOLLOWING THREE ITEMS, WITHDREW FROM THE CHAMBERS AND TOOK NO FURTHER PART IN THE PROCEEDINGS.

THE COMMITTEE UNANIMOUSLY AGREED TO CONJOIN THE FOLLOWING THREE APPLICATIONS.

752. RENEWAL OF PRIVATE HIRE CAR LICENCE – PH405

There was submitted a report by the Head of Legal Services (13/586), together with letter of objection dated 1 November 2013 from Police Scotland, regarding Renewal of Private Hire Car Licence PH405.

The licence holder was in attendance, accompanied by his representative, Mr D Holmes. The representative from Police Scotland addressed the Committee and answered members' questions. Mr Holmes also addressed the Committee and answered members' questions.

Resolved:

Private Hire Car Licence PH405 be renewed for a period of 1 year, with effect from 14 November 2013.

753. GRANT OF PRIVATE HIRE CAR LICENCE – PH410

There was submitted a report by the Head of Legal Services (13/587), together with letter of representation dated 10 October 2013 from Police Scotland, regarding Grant of Private Hire Car Licence PH410.

The licence holder was in attendance, accompanied by his representative, Mr D Holmes. The representative from Police Scotland addressed the Committee and answered members' questions. Mr Holmes also addressed the Committee and answered members' questions.

Resolved:

Private Hire Car Licence PH410 be granted for a period of 1 year, with effect from 12 December 2013.

754. RENEWAL OF PRIVATE HIRE CAR LICENCE – PH412

There was submitted a report by the Head of Legal Services (13/588), together with letter of objection dated 1 November 2013 from Police Scotland, regarding Renewal of Private Hire Car Licence PH412.

The licence holder was in attendance, accompanied by his representative, Mr D Holmes. The representative from Police Scotland addressed the Committee

PERTH AND KINROSS COUNCIL
LICENSING COMMITTEE
12 DECEMBER 2013

and answered members' questions. Mr Holmes also addressed the Committee and answered members' questions.

Resolved:

Private Hire Car Licence PH412 be renewed for a period of 1 year, with effect from 29 November 2013.

755. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1341

There was submitted a report by the Head of Legal Services (13/589), together with letter of objection dated 5 November 2013 from Police Scotland, regarding Grant of Taxi/Private Hire Car Driver's Licence TD1341.

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.

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