

LICENSING COMMITTEE

Minute of Meeting of the Licensing Committee held in the Council Chambers, Council Building, 2 High Street, Perth on Thursday 15 May 2014 at 10.00am.

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

In Attendance: Mr B Kerr, Licensing Supervisor and Mrs S Michie (both Police Scotland); L Cormack, J Frawley, W Gibson and M McLaren (all Chief Executive's Service).

Apologies: Councillor B Ellis.

J Coburn (Convener), Presiding.

335. WELCOME AND APOLOGIES/SUBSTITUTES

Apologies were submitted and noted as above.

336. DECLARATIONS OF INTEREST

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

337. MINUTE OF PREVIOUS MEETING

The Minute of the Licensing Committee of 27 March 2014 (Arts.195-205) was submitted and approved as a correct record.

338. VARIATION OF LATE HOURS CATERING LICENCE – LH105

There was submitted a report by the Head of Legal Services (14/197) together with (i) letter dated 14 February 2014 from Police Scotland and (ii) the licence holders' Community Consultation Statement, regarding Variation of Late Hours Catering Licence LH105.

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

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

Late Hours Catering Licence LH105 be varied for a period of one year, to extend the hours of business to twenty four hours a day, seven days a week, with effect from 15 May 2014, subject to the licence holder (i) satisfying the Chief

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Constable there is a CCTV system installed that meets the required standard; and
(ii) that experienced senior staff are on duty between 1am and 5am.

339. RENEWAL OF SKIN PIERCING AND TATTOOING LICENCE – SP20

There was submitted a report by the Head of Legal Services (14/198) together with (i) memorandum dated 9 December 2013 from The Environment Service and (ii) letters of objection received 19 December 2013 and 24 December 2013 from interested parties.

The Licence holder was in attendance, accompanied by her mother. The representative of Police Scotland addressed the Committee and answered members' questions. W Gibson, Enforcement Officer addressed the Committee and answered members' questions. The licence holder and her mother addressed the Committee and answered members' questions.

Resolved:

Skin Piercing and Tattooing Licence SP20 be renewed for a period of three years.

THE COMMITTEE UNANIMOUSLY AGREED TO CONJOIN THE FOLLOWING THREE APPLICATIONS.

340. EXTENSION TO THE AUTHORITY OF THE EXECUTOR TO ADMINISTER TAXI OPERATOR'S LICENCE – TO104

There was submitted a report by the Head of Legal Services (14/199), regarding Extension to the Authority of the Executor to Administer Taxi Operator's Licence TO104.

Resolved:

Authority of the Executor to Administer Taxi Operator's Licence TO104 be extended for a period of one month, with effect from 15 May 2014.

341. EXTENSION TO THE AUTHORITY OF THE EXECUTOR TO ADMINISTER TAXI OPERATOR'S LICENCE – TO108

There was submitted a report by the Head of Legal Services (14/200), regarding Extension to the Authority of the Executor to Administer Taxi Operator's Licence TO108.

Resolved:

Authority of the Executor to Administer Taxi Operator's Licence TO108 be extended for a period of one month, with effect from 15 May 2014.

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342. EXTENSION TO THE AUTHORITY OF THE EXECUTOR TO ADMINISTER TAXI OPERATOR'S LICENCE – TO110

There was submitted a report by the Head of Legal Services (14/201), regarding Extension to the Authority of the Executor to Administer Taxi Operator's Licence TO110.

Resolved:

Authority of the Executor to Administer Taxi Operator's Licence TO110 be extended for a period of one month, with effect from 15 May 2014.

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.

343. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1358

There was submitted a report by the Head of Legal Services (14/202) together with letter of representation dated 1 April 2014 from Police Scotland, regarding consideration of Grant of Taxi/Private Hire Car Driver's Licence TD1358.

The applicant was not in attendance.

Resolved:

Consideration of Taxi/Private Hire Car Driver's Licence No. TD1358 be deferred to the next meeting of the Licensing Committee, being held on 26 June 2014, to allow the applicant to appear in person.

344. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1364

There was submitted a report by the Head of Legal Services (14/203) together with letter of representation dated 7 April 2014 from Police Scotland, regarding consideration of Grant of Taxi/Private Hire Car Driver's Licence TD1364.

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 Driver's Licence TD1364 be refused, on the grounds that the applicant is not a fit and proper person to be the holder of Taxi/Private Hire Car Driver's Licence TD1364.

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345. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD575

There was submitted a report by the Head of Legal Services (14/204) together with letter of objection dated 1 April 2014 from Police Scotland, regarding consideration of Grant of Taxi/Private Hire Car Driver's Licence TD575.

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

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

Taxi/Private Hire Car Driver's Licence TD575 be refused, on the grounds that the applicant is not a fit and proper person to be the holder of Taxi/Private Hire Car Driver's Licence TD575.

346. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1366

There was submitted a report by the Head of Legal Services (14/205) together with letter of objection dated 24 April 2014 from Police Scotland, regarding consideration of Grant of Taxi/Private Hire Car Driver's Licence TD1366.

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.

Motion (Councillors D Melloy and M Roberts)

Taxi/Private Hire Car Driver's Licence TD1366 be refused, on the grounds that the applicant is not a fit and proper person to be the holder of Taxi/Private Hire Car Driver's Licence TD1366.

Amendment (Councillors J Flynn and J Coburn)

Taxi/Private Hire Car Driver's Licence TD1366 be granted for a period of 1 year, with effect from 15 May 2014.

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

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

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

Resolved:

In accordance with the Motion.

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347. CONTINUED SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1004

There was submitted a report by the Head of Legal Services (14/206) together with letter of suspension dated 16 April 2014 from Police Scotland, regarding Continued Suspension of Taxi/Private Hire Car Driver's Licence TD1004.

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

Resolved:

Suspension of Taxi/Private Hire Car Driver's Licence TD1004 be continued for the duration of the unexpired portion of the licence on the grounds that the licence holder is no longer a fit and proper person to be the holder of Taxi/Private Hire Car Driver's Licence TD1004.

348. CONTINUED SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD962

There was submitted a report by the Head of Legal Services (14/207) together with letter of 31 March 2014 from Dr Foster, regarding Continued Suspension of Taxi/Private Hire Car Driver's Licence TD962.

Resolved:

Suspension of Taxi/Private Hire Car Driver's Licence TD962 be continued for the duration of the unexpired portion of the licence on the grounds that the licence holder is no longer a fit and proper person to be the holder of Taxi/Private Hire Car Driver's Licence TD962.

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