

## **LICENSING COMMITTEE**

Minute of Meeting of the Licensing Committee held in the Hay Room, Dewar's Centre, Glover Street, Perth on Thursday 17 September 2015 at 10.00am.

Present: Councillors B Ellis (Convener), D Pover (Vice-Convener), R Brock, A Parrot and M Roberts.

In Attendance: Constable L Gregge and R Forbes (both Police Scotland); W Gibson, M McLaren and L Brown (all Chief Executive's Service).

Apologies: Councillors J Flynn and D Melloy.

Councillor B Ellis (Convener), Presiding.

### **573. WELCOME AND APOLOGIES**

The Convener welcomed those present to the meeting. Apologies for absence were noted as above.

### **574. DECLARATIONS OF INTEREST**

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

### **575. MINUTE OF PREVIOUS MEETING**

The Minute of Meeting of the Licensing Committee of 13 August 2015 (Arts. 495-500) was submitted and approved as a correct record.

### **576. GRANT OF PRIVATE HIRE CAR OPERATOR'S LICENCE – PH138 – 1 YEAR**

There was submitted a report by the Head of Legal Services (15/386) regarding application for grant of Private Hire Car Operator's Licence PH138.

Mrs M McLaren, Solicitor, Perth and Kinross Council advised the Committee that the application had been withdrawn from the agenda.

**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.**

### **577. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1441 – 1 YEAR**

There was submitted a report by the Head of Legal Services (15/387), together with a letter of information dated 10 August 2015 from Police Scotland regarding Grant of Taxi/Private Hire Car Driver's Licence TD1441.

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The applicant was in attendance and was accompanied by a friend.

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 TD1441 be granted for a period of one year, with effect from 17 September 2015, subject to the usual terms and conditions of a Taxi/Private Hire Car Driver's Licence.

**578. GRANT OF A TAXI/PRIVATE HIRE CAR LICENCE – TD1464 - 3 YEARS**

There was submitted a report by the Head of Legal Services (15/388), together with a letter of information dated 20 August 2015 from Police Scotland regarding Grant of Taxi/Private Hire Car Driver's Licence TD1464.

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 TD1464 be granted for a period of one year with effect from 17 September 2015, subject to the usual terms and conditions of a Taxi/ Private Hire Car Driver's Licence.

**579. RENEWAL OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD563 – 3 YEARS**

There was submitted a report by the Head of Legal Services (15/389), together with a letter of information dated 20 August 2015 from Police Scotland regarding Renewal of Taxi/Private Hire Car Driver's Licence TD563.

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 TD563 be renewed for a period of 3 years, with effect from 17 August 2015, subject to the usual terms and conditions of a Taxi/Private Hire Car Driver's Licence.

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**580. GRANT OF A SECOND HAND DEALER LICENCE – SD471 – 3 YEARS**

There was submitted a report by the Head of Legal Services (15/390), together with letter of objection dated 10 August 2015 from Police Scotland, regarding Grant of Second Hand Dealer's Licence SD471.

Mrs M McLaren, Solicitor, Perth and Kinross Council advised the Committee that the application had been withdrawn from the agenda.

**581. CONSIDERATION OF REVOCATION OF LANDLORD'S REGISTRATION**

There was submitted a report by the Head of Legal Services (15/391), together with (1) email correspondence dated 11 August 2015 between Police Scotland and the Licensing Officer, Perth and Kinross Council, (2) letter dated 17 August 2015 from Criminal Justice Services, Perth and Kinross Council, and (3) letter (undated) from the holder of the Landlord's Registration No. 377429/340/20171, received by Perth and Kinross Council on 6 August 2015, regarding the Revocation of Landlord's Registration.

The holder of Landlord's Registration No. 377429/340/20171 was in attendance.

The representative from Police Scotland addressed the Committee and answered members' questions. The holder of the Landlord's Registration also addressed the Committee and answered members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

The holder of Landlord's Registration No. 377429/340/20171 gave an undertaking to the Committee that a private letting agency will be employed to manage the property and that he will have no involvement in showing prospective tenants the property and will have no key for the property. Thereafter, the Committee:

**Resolved:**

The revocation of Landlord's Registration Certificate No. 377429/340/20171 be not approved.

THE COMMITTEE AGREED TO CONJOIN CONSIDERATION OF THE FOLLOWING TWO ITEMS

**582. SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD206  
SUSPENSION OF PRIVATE HIRE OPERATOR'S LICENCE – PH139**

There was submitted: (1) a report by the Head of Legal Services (15/391), together with letter dated 3 August 2015 from the Licensing Enforcement Officer, Perth and Kinross Council, regarding consideration of the Suspension of Taxi/Private Hire Car Driver's Licence TD206, and (2) a report by the Head of Legal Services (15/393), together with letter dated 3 August 2015 from the Licensing

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Enforcement Officer, Perth and Kinross Council, regarding consideration of the Suspension of Private Hire Operator's Licence PH139.

The licence holder was in attendance, accompanied by his legal representative, Mrs S McCartney.

The Licensing Enforcement Officer addressed the Committee and answered Members' questions on the consideration of the Suspension of Licence TD206 and Licence PH139. The Licence holder and his legal representative also addressed the Committee and answered Members' questions on the consideration of the Suspension of Licence TD206 and Licence PH139.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

**Resolved:**

- (i) Taxi/Private Hire Car Driver's Licence TD206 be suspended for a period of 6 weeks, with effect from 17 September 2016, on the basis that the Licence holder has breached paragraph 3.1 of the Conditions of Taxi and Private Hire Car Drivers' Licences.
- (ii) Private Hire Operator's Licence PH139 be suspended for a period of 6 weeks, with effect from 17 September 2016, on the basis that the Licence holder has breached paragraph 3.1 of the Conditions of Taxi and Private Hire Car Drivers' Licences.

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