

LICENSING COMMITTEE

Minute of Meeting of the Licensing Committee held in the Gannochy Suite, Dewar's Centre, Glover Street, Perth on Thursday 25 June 2015 at 10.00am.

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

In Attendance: Sergeant I Bethway and Constable E Simpson (both Police Scotland); C Heggie, the Environment Service; R Mackie; M McLaren and Y Oliver (all Chief Executive's Service).

Also in Attendance: Councillor T Gray and R Mackie (Chief Executive's Service).

Apologies: Councillors B Ellis, J Flynn and M Roberts.

Councillor D Pover (Vice-Convener), Presiding.

432. WELCOME AND APOLOGIES

The Convener welcomed those present to the meeting and apologies were noted as above.

433. DECLARATIONS OF INTEREST

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

MINUTES OF PREVIOUS MEETINGS

(i) The Minute of Meeting of the Licensing Committee of 14 May 2015 (Arts 315-322) was submitted and approved as a correct record.

(ii) The Minute of Special Meeting of the Licensing Committee of 28 May 2015 (Arts. 361-363) was submitted and approved as a correct record.

THE COMMITTEE UNANIMOUSLY AGREED TO VARY THE ORDER OF BUSINESS.

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.

434. GRANT OF SECOND-HAND MOTOR VEHICLE DEALER'S LICENCE – MD217 – 3 YEARS

There was submitted a report by the Head of Legal Services (15/274), together with (1) letter of objection dated 22 April 2015 from Police Scotland; (2) e-mail dated 11 May 2015 from Mr D Rennie, Planning Enforcement Officer objecting to the application; (3) e-mail dated 21 May 2015 from Mr D Lancaster objecting to

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the application; (4) e-mail dated 19 May 2015 from Mr G Paul objecting to the application; (5) e-mail dated 18 May 2015 from Mrs C M Goodman objecting to the application; (6) e-mail dated 18 May 2015 from Mrs S Murray objecting to the application; (7) e-mail dated 22 May 2015 from Mr D Stevenson objecting to the application; (8) e-mail dated 25 May 2015 from Mr P McNiven objecting to the application; (9) anonymous letter dated 18 May 2015 objecting to the application; (10) anonymous letter dated 19 May 2015 objecting to the application; (11) anonymous letter (on behalf of two properties in the vicinity) dated 20 May 2015 objecting to the application; (12) anonymous letter dated 21 May objecting to the application; (13) letter dated 21 April 2015 from Mr W Gibson, Licensing Enforcement Officer, together with attachments, regarding Grant of Second-Hand Motor Dealer's Licence MD217.

The Committee noted that this item had been withdrawn from the agenda at the request of the applicant.

435. RENEWAL OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD39 – 1 YEAR

There was submitted a report by the Head of Legal Services (15/275) regarding Renewal of Taxi/Private Hire Car Driver's Licence TD39.

The applicant was not in attendance.

Resolved:

Renewal of Taxi/Private Hire Car Driver's Licence TD39 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 TD39.

FOLLOWING A SHORT ADJOURNMENT THE COMMITTEE RECONVENED.

436. VARIATION OF MARKET OPERATOR'S LICENCE – MO38

There was submitted a report by the Head of Legal Services (15/273), together with (1) Application Form for Request for Consent to Material Change in Circumstances or Alteration of Civic Government (Scotland) Act 1982 Licence – Company or Partnership and (2) e-mail dated 19 May 2015 from the Environment Service – Roads Department, objecting to the application.

The applicant was in attendance. The representative from the Environment Service addressed the Committee, advising that, due to further information, the original objection from Roads Network Management had been withdrawn. He raised points of interest with the Committee and answered Members' questions.

The applicant also addressed the Committee and answered Members' questions.

Resolved:

Variation of Market Operator's Licence MO38 be granted, subject to the usual terms and conditions of the existing Market Operator's Licence and in consultation

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with Roads Network Management regarding the “pinch-point” at the top of High Street, for the following:

- (i) The number of stalls be increased from 50 to 55
- (ii) The trading times be amended to read “8am-10pm”
- (iii) Trading from motor vehicles be allowed only during periods of adverse weather conditions.

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