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Council Building  
2 High Street  
Perth  
PH1 5PH

12 February 2019

A Meeting of the **Licensing Committee** will be held in **the Council Chamber, 2 High Street, Perth, PH1 5PH** on **Thursday, 21 February 2019** at **10:00**.

If you have any queries please contact Committee Services on (01738) 475000 or email [Committee@pkc.gov.uk](mailto:Committee@pkc.gov.uk).

**KAREN REID**  
Chief Executive

***Those attending the meeting are requested to ensure that all electronic equipment is in silent mode.***



**Licensing Committee**

**Thursday, 21 February 2019**

**AGENDA**

***MEMBERS ARE REMINDED OF THEIR OBLIGATION TO DECLARE ANY FINANCIAL OR NON-FINANCIAL INTEREST WHICH THEY MAY HAVE IN ANY ITEM ON THIS AGENDA IN ACCORDANCE WITH THE COUNCILLORS' CODE OF CONDUCT.***

- 1 WELCOME AND APOLOGIES**
- 2 DECLARATIONS OF INTEREST**
- 3 MINUTE OF THE MEETING OF THE LICENSING COMMITTEE 5 - 8**  
**OF 10 JANUARY 2019 FOR APPROVAL AND SIGNATURE**  
(copy herewith)
- 4 REVIEW OF CIVIC LICENCE FEES 9 - 14**  
Report by Head of Legal and Governance Services (copy herewith  
19/49)

***IT IS RECOMMENDED THAT THE PUBLIC AND PRESS SHOULD BE EXCLUDED DURING CONSIDERATION OF THE FOLLOWING ITEM(S) IN ORDER TO AVOID THE DISCLOSURE OF INFORMATION WHICH IS EXEMPT IN TERMS OF SCHEDULE 7A TO THE LOCAL GOVERNMENT (SCOTLAND) ACT 1973***

- P1 SUSPENSION OF SKIN PIERCING & TATTOOING LICENCE NO. SP70**
- P2 SUSPENSION OF A TAXI/PRIVATE HIRE CAR DRIVER LICENCE NO. TD709**
- P3 GRANT OF A TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE (1 YEAR) NO. TD1838**
- P4 RENEWAL OF A LATE HOURS CATERING LICENCE NO. LH120**

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PERTH AND KINROSS COUNCIL  
LICENSING COMMITTEE  
10 JANUARY 2019

## LICENSING COMMITTEE

Minute of Meeting of the Licensing Committee held in the Council Chambers, Ground Floor, Council Building, 2 High Street, Perth on Thursday 10 January 2019 at 9.30am.

Present: Councillors C Ahern (Convener), K Baird, A Coates, D Illingworth, A Parrott, F Sarwar and M Williamson.

In Attendance: PC C Forbes (Police Scotland); K Spalding (Housing and Environment); M McLaren, D Merchant, S Michie and D Williams (all Corporate and Democratic Services).

Apologies for Absence: Councillors B Brawn, R Brock, I James, A Jarvis, J Rebbeck, and R Watters.

Councillor C Ahern (Convener), Presiding.

### 5. WELCOME AND APOLOGIES

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

### 6. DECLARATIONS OF INTEREST

There were no declarations of interest in terms of the Councillors' Code of Conduct.

### 7. MINUTES

The Minute of Meeting of the Licensing Committee of 15 November 2018 was submitted and approved as a correct record.

### 8. TAXI AND PRIVATE HIRE DRIVERS' KNOWLEDGE TEST

There was submitted a report by the Head of Legal and Governance Services (19/1) seeking approval for the introduction of a knowledge test for Private Hire Car Drivers' and Taxi Car Drivers'.

#### **Resolved:**

- The Committee agreed;
- (i) That the Taxi/Private Hire Car Driver knowledge test be introduced from 11 January 2019.
  - (ii) The fee for new applications received from 11 January 2019 for a Taxi/Private is increased by £30.

PERTH AND KINROSS COUNCIL  
LICENSING COMMITTEE  
10 JANUARY 2019

**9. VARIATION OF CONDITION 7 OF A STREET TRADERS LICENCE NO. ST375**

This item of business was withdrawn prior to the meeting.

**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.**

**10. GRANT OF A STREET TRADERS LICENCE NO. ST375**

This item of business was withdrawn prior to the meeting.

**11. GRANT OF A TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE (1 YEAR) NO. TD1816 – 1 YEAR.**

There was submitted a report by the Head of Legal and Governance Services (19/4) together with a letter dated 16 November 2018 from Police Scotland regarding Continued Suspension of Taxi/Private Hire Car Driver's Licence No. TD1816.

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 No. TD1816 be not granted.

**12. RENEWAL OF A LATE HOURS CATERING LICENCE – 3 YEARS NO. LH120**

There was submitted a report by the Head of Legal and Governance Services (19/5) together with a letter of representation dated 23 November 2018 from Police Scotland regarding Renewal of a Late Hours Catering Licence – 3 Years No. LH120.

The applicant was in attendance.

**Resolved:**

Consideration of Renewal of a Late Hours Catering Licence – 3 Years No. LH120 be deferred to the next meeting of the Licensing Committee scheduled to take place on Thursday 21 February 2019.

PERTH AND KINROSS COUNCIL  
LICENSING COMMITTEE  
10 JANUARY 2019

**13. GRANT OF A WINDOW CLEANERS LICENCE – 3 YEARS NO. WC320**

There was submitted a report by the Head of Legal and Governance Services (19/6) together with a letter of representation dated 27 November 2018 from Police Scotland regarding Grant of a Window Cleaners Licence – 3 Years No. WC320.

The applicant was in attendance, along with a perspective employer.

**Resolved:**

Window Cleaners Licence Licence WC320 be granted for a period of 3 years with effect from 10 January 2018.

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# **PERTH AND KINROSS COUNCIL**

## **Licensing Committee**

**21 February 2019**

### **REVIEW OF CIVIC LICENCE FEES**

**Report by Head of Legal and Governance Services (Report No. 19/49)**

#### **PURPOSE OF REPORT**

This report recommends that the Committee approves an increase in fees as shown in Appendix 1 for licences issued under the Civic Government (Scotland) Act 1982 and the Housing (Scotland) Act 2006.

#### **1. BACKGROUND / MAIN ISSUES**

- 1.1 The Civic Government (Scotland) Act 1982 gives the Council power to set fees for individual licences in order to recover the cost of providing the civic licensing service. In setting the fees, the Council must ensure that the income received by the Council meets the expenses incurred in exercising its functions under the Act.
- 1.2 The Housing (Scotland) Act 2006 also gives the Council power to set fees for Houses in Multiple Occupation Licences.
- 1.3 This review has been undertaken in accordance with the recommendations of the Scrutiny Committee report Charging for Services (report 15/65 refers) and the revised Corporate Charging Policy for full cost recovery of providing a service. The fees were last reviewed in 2017.

#### **2. PROPOSED AMENDMENTS TO FEES**

- 2.1 It is proposed that the revised fees detailed in Appendix 1 be adopted with effect from 1 April 2019. The increase in fees represents an inflationary increase of approximately 2.2%, in keeping with the Bank of England Consumer Price Inflation index as at November 2018. Fees are rounded up to the nearest £5.

#### **3. CONCLUSION AND RECOMMENDATION(S)**

- 3.1 The report proposes an increase in fees charged in terms of the Civic Government (Scotland) Act 1982 and the Housing (Scotland) Act 2006 as set out in this report, to take effect from 1 April 2019.
- 3.2 The Committee is asked to approve the increase in fees charged as set out in Appendix 1.

**Author(s)**

| <b>Name</b>    | <b>Designation</b> | <b>Contact Details</b> |
|----------------|--------------------|------------------------|
| Debra Merchant | Licensing Manger   | 01738 475159           |

**Approved**

| <b>Name</b>  | <b>Designation</b>     | <b>Date</b>      |
|--------------|------------------------|------------------|
| Lisa Simpson | Head of Legal Services | 07 February 2019 |

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## 1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

| <b>Strategic Implications</b>                       | <b>Yes / None</b> |
|-----------------------------------------------------|-------------------|
| Community Plan / Single Outcome Agreement           | <b>None</b>       |
| Corporate Plan                                      | <b>Yes</b>        |
| <b>Resource Implications</b>                        |                   |
| Financial                                           | <b>Yes</b>        |
| Workforce                                           | <b>None</b>       |
| Asset Management (land, property, IST)              | <b>None</b>       |
| <b>Assessments</b>                                  |                   |
| Equality Impact Assessment                          | <b>Yes</b>        |
| Strategic Environmental Assessment                  | <b>Yes</b>        |
| Sustainability (community, economic, environmental) | <b>Yes</b>        |
| Legal and Governance                                | <b>Yes</b>        |
| Risk                                                | <b>None</b>       |
| <b>Consultation</b>                                 |                   |
| Internal                                            | <b>None</b>       |
| External                                            | <b>None</b>       |
| <b>Communication</b>                                |                   |
| Communications Plan                                 | <b>None</b>       |

### 1. Strategic Implications

Community Plan / Single Outcome Agreement

Corporate Plan

- 1.1 The Council's Corporate Plan 2018 – 2022 lays out five outcome focussed strategic objectives which provide clear strategic direction, inform decisions at a corporate and service level and shape resources allocation. They are as follows:-

- (i) Giving every child the best start in life;
- (ii) Developing educated, responsible and informed citizens;
- (iii) Promoting a prosperous, inclusive and sustainable economy;
- (iv) Supporting people to lead independent, healthy and active lives; and
- (v) Creating a safe and sustainable place for future generations.

### 2. Resource Implications

Financial

- 2.1 There are no direct financial implications arising from this report other than those reported within the body of the main report.

### **3. Assessments**

#### Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.
- 3.2 A full EFIA has determined that the proposal is **relevant** for the purposes of EFIA, with the following outcome being decided:  
No major change is required. The Policy, Practice, Project, Service Reform or Budget Option is robust and can continue without amendment

#### Strategic Environmental Assessment

- 3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals.
- 3.4 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. In terms of the Climate Change Act, the Council has a general duty to demonstrate its commitment to sustainability and the community, environmental and economic impacts of its actions.
- 3.5 The information contained within this report has been considered under the Act. However, no action is required as the Act does not apply to the matters presented in this report.

### **4. Consultation**

#### Internal

- 4.1 None

#### External

- 4.2 None

### **2. BACKGROUND PAPERS**

None

### **3. APPENDICES**

- 3.1 Perth and Kinross proposed List of Fees – Appendix 1

## Appendix 1

| Perth and Kinross Council Civic Government (Scotland) Act 1982<br>Licence Fees Proposal from 1st April 2019 |                       |                        |
|-------------------------------------------------------------------------------------------------------------|-----------------------|------------------------|
| Application Type                                                                                            | Current Fee 1yr / 3yr | Proposed Fee 1yr / 3yr |
| Knife Dealers (Fairs)                                                                                       | 60/na                 | 65                     |
| Knife Dealers                                                                                               | 250/300               | 255/305                |
| Second Hand Dealer                                                                                          | 200/300               | 205/305                |
| Stalls Antique Fairs                                                                                        | 60/na                 | 65/NA                  |
| Cabinet                                                                                                     | 60/150                | 65/155                 |
| Stamp Fairs                                                                                                 | 35/na                 | 40/NA                  |
| Late Hours Catering                                                                                         | 350/400               | 355/410                |
| Itinerant Metal Dealer                                                                                      | 120/185               | 125/190                |
| Market Operator                                                                                             | 210/280               | 215/285                |
| Market Operator when Public Entertainment Licence is in place for same event                                | 100/180               | 105/185                |
| Metal Dealer                                                                                                | 210/280               | 215/285                |
| Second Hand Car Dealer                                                                                      | 200/300               | 205/305                |
| Sex Shop                                                                                                    | 1200/na               | 1225                   |
| Skin Piercing and Tattoo                                                                                    | 255                   | 315                    |
| Material Change Civic                                                                                       | 65                    | 70                     |
| Indoor Sports Entertainment                                                                                 | 190/260               | 195/265                |
| Street Traders                                                                                              | 160/230               | 165/235                |
| Street Trader Variation                                                                                     | 100                   | 105                    |
| Window Cleaner                                                                                              | 105/160               | 110/165                |
| <b>Public Entertainment Licence</b>                                                                         |                       |                        |
| Community Hall                                                                                              | 180/240               | 185/245                |
| Capacity <200                                                                                               | 180/240               | 185/245                |
| Capacity 201-1500                                                                                           | 290/350               | 295/360                |
| Capacity 1501-5000                                                                                          | 700/800               | 715/820                |
| Capacity 5001-20000                                                                                         | 1500/2000             | 1535/2045              |
| Capacity >20000                                                                                             | 3000/4000             | 3065/4085              |
| Fun Fair                                                                                                    | 300/480               | 305/490                |
| <b>Taxi / Private Hire Cars</b>                                                                             |                       |                        |
| Booking Office                                                                                              | 190/255               | 195/260                |
| Test Fee with meter                                                                                         | 95                    | No change              |
| Meter Test                                                                                                  | 37.50                 | No change              |
| Advertisement                                                                                               | 65                    | 70                     |
| Taxi / Private Hire Drivers Licence renewal                                                                 | 110/165               | 115/170                |

| <b>Application Type</b>                | <b>Current Fee 1yr / 3yr</b> | <b>Proposed Fee 1yr / 3yr</b> |
|----------------------------------------|------------------------------|-------------------------------|
| Private Hire Operators Licence         | 55/110/230<br>WAV/ULH/Car    | 60/115/235<br>WAV/ULH/Car     |
| Taxi Operators Licence                 | 65/130/275<br>WAV/ULH/Car    | 70/135/280<br>WAV/ULH/Car     |
| Vehicle Substitution                   | As test fee                  | No change                     |
| Vehicle Registration Change            | 40                           | 45                            |
| <b>HMO Housing (Scotland) Act 2006</b> |                              |                               |
| Occupancy up to 5                      | na/685                       | na/700                        |
| Occupancy up to 20                     | na/730                       | na/745                        |
| Occupancy over 21                      | na/825                       | na/845                        |
| Occupancy 76+                          | na/915                       | na/935                        |
| Variation to HMO                       | 65                           | 70                            |