

LICENSING COMMITTEE

Minute of hybrid meeting of the Licensing Committee held in the Council Chambers, 2 High Street, Perth on Thursday 27 September 2022 at 10.00am.

Present: Bailies C Ahern, R Brock and M Williamson, Councillors H Anderson, E Drysdale, M Frampton (substituting for S Carr), K Harvey, C Reid (up to Item P4), and G Stewart.

In Attendance: A Brown, J Guild, S McQueen, S Michie and K Molley (all Corporate and Democratic Services), J Gordon and M Simpson (Police Scotland).

Apologies for Absence: Councillors K Allan, S Carr, D Illingworth and W Robertson.

Bailie M Williamson, Convener, Presiding.

1. WELCOME AND APOLOGIES

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

2. DECLARATIONS OF INTEREST

Bailie Ahern declared an interest in Item P4 – Suspension of Taxi/Private Hire Car Driver Licence – TD1267.

3. MINUTES

The Minutes of Meetings of the Licensing Committee of 8 and 22 September 2022 were submitted and approved as a correct record.

4. VARIATION OF LATE HOURS CATERING LICENCE – LH144

There was submitted a report by the Head of Legal and Governance Services (22/254) in relation to an application received for Variation of a Late Hours Catering Licence.

The applicant attended the meeting, addressed the Committee and answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Motion (Bailies Williamson and Ahern)

Application for a Variation of Late Hours Catering Licence No. LH144, be refused, on the grounds that insufficient evidence has been provided to warrant a departure from the Council's current Policy.

Amendment (Bailie Brock and Councillor MacPherson)

Application for a Variation of Late Hours Catering Licence No. LH144, be approved for the hours of 1am – 3:30am on a Saturday only.

In accordance with Standing Order 21, a roll call vote was taken.

6 Members voted for the Motion as follows:

Bailie Ahern, Councillors Anderson, Drysdale, Reid, Stewart and Bailie Williamson.

4 Members voted for the Amendment as follows:

Bailie Brock, Councillors Frampton, Harvey and MacPherson.

Resolved:

In accordance with the Motion.

5. MATERIAL CHANGE IN CIRCUMSTANCES – TAXI OPERATOR LICENCE – TO47

There was submitted a report by the Head of Legal and Governance Services (22/255) together with application form, in relation to the Material Change in Circumstances of a Taxi Operator Licence.

The applicant attended the meeting, addressed the Committee, and answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Motion (Bailies Williamson and Ahern)

Application for a Material Change in Circumstances of Taxi Operator Licence TO47, be refused, on the grounds that not insufficient evidence has been provided to warrant a departure from the Council's current Policy.

Amendment (Councillors Harvey and Reid)

Application for a Material Change in Circumstances of Taxi Operator Licence TO47, be approved.

6 Members voted for the Motion as follows:

Bailie Ahern, Councillor Anderson, Bailie Brock, Councillors MacPherson, Stewart and Bailie Williamson.

4 Members voted for the Amendment as follows:

Councillors Drysdale, Frampton, Harvey and Reid.

Resolved:

In accordance with the Motion.

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.

P1. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER LICENCE – TD/2145

There was submitted a report by the Head of Legal and Governance Services (22/256) together with a letter of representation dated 5 October 2022 from Police Scotland, regarding Grant of a Taxi/Private Hire Car Driver Licence.

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 Licence, be granted.

P2. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER LICENCE – TD/2138

There was submitted a report by the Head of Legal and Governance Services (22/257) together with a letter of objection dated 21 September 2022 from Police Scotland, regarding Grant of a Taxi/Private Hire Car Driver Licence.

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 Licence, be granted.

P3. RENEWAL OF TAXI/PRIVATE HIRE CAR DRIVER LICENCE – TD1785

There was submitted a report by the Head of Legal and Governance Services (22/258) together with a letter of representation dated 29 August 2022 from Police Scotland and a Written Statement from the Applicant dated 19 October 2022, regarding Renewal of a Taxi/Private Hire Car Driver Licence.

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 Licence, be renewed.

HAVING DECLARED AN INTEREST IN THE FOLLOWING ITEM, BAILIE AHERN LEFT THE CHAMBERS AT THIS POINT.

P4. SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER LICENCE TD1267

There was submitted a report by the Head of Legal and Governance Services (22/259) together with a Request for Suspension dated 5 October 2022 from Police Scotland regarding Suspension of a Taxi/Private Hire Car Driver Licence.

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.

Motion (Bailies Williamson and Councillor MacPherson)

Taxi/Private Hire Car Driver Licence, be suspended for the remaining period to 29 November 2022, on the grounds that the applicant is no longer a fit and proper person to hold a Taxi/Private Hire Car Driver Licence.

Amendment (Councillors Drysdale and Harvey)

Suspension of Taxi/Private Car Driver Licence, be deferred pending outcome of criminal proceedings.

In accordance with Standing Order 21, a roll call vote was taken.

3 Members voted for the Motion as follows:

Councillors Anderson, MacPherson and Bailie Williamson.

5 Members voted for the Amendment as follows:

Bailie Brock, Councillors Drysdale, Frampton, Harvey and Stewart.

Resolved:

In accordance with the Amendment.