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Council Building
2 High Street
Perth
PH1 5PH

11 February 2020

A Meeting of the **Licensing Committee** will be held in **the Council Chamber, 2 High Street, Perth, PH1 5PH** on **Thursday, 20 February 2020** at **10:00**.

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

KAREN REID
Chief Executive

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

Members:

Councillor Chris Ahern (Convener)
Councillor David Illingworth (Vice-Convener)
Councillor Kathleen Baird
Councillor Rhona Brock
Councillor Audrey Coates
Councillor Roz McCall
Councillor Andrew Parrott
Councillor John Rebbeck
Councillor Fiona Sarwar
Councillor Richard Watters
Councillor Mike Williamson

Licensing Committee

Thursday, 20 February 2020

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 MEETING OF THE LICENSING COMMITTEE OF 9 JANUARY 2020 FOR APPROVAL AND SIGNATURE** **5 - 8**
(copy herewith)
- 4 REVIEW OF CIVIC LICENCE FEES** **9 - 14**
Report by Head of Legal and Governance Services (copy herewith 20/51)
- 5 TAXI AND PRIVATE HIRE DRIVER KNOWLEDGE TEST - UPDATE** **15 - 20**
Report by Head of Legal and Governance Services (copy herewith 20/52)
- 6 LH137 - GRANT OF A LATE HOURS CATERING LICENCE** **21 - 24**
Report by Head of Legal and Governance Services (copy herewith 20/53)

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 TD1247 - RENEWAL OF TAXI / PRIVATE HIRE CAR DRIVER LICENCE**
- Exempt Reason 14 - Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

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PERTH AND KINROSS COUNCIL
LICENSING COMMITTEE
9 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 9 January 2020 at 10.00am.

Present: Councillors C Ahern (Convener), A Coates (up to and including Art. 8), D Illingworth, R McCall, A Parrott and M Williamson.

In Attendance: PC L Gregge (Police Scotland); M McLaren, D Gilkinson, S Michie, and A Taylor (all Corporate and Democratic Services).

Apologies for Absence: Councillors K Baird, R Brock, J Rebbeck, F Sarwar and R Watters.

Councillor C Ahern (Convener), Presiding.

4. WELCOME AND APOLOGIES

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

5. DECLARATIONS OF INTEREST

In terms of the Councillors' Code of Conduct Councillor A Coates declared a non-financial interest in Art. 9.

6. MINUTES

The Minute of Meeting of the Licensing Committee of 14 November 2019 (Arts. 568-578/19) was submitted and approved as a correct record.

7. GRANT OF LATE HOURS CATERING LICENCE – LH136

There was submitted a report by the Head of Legal and Governance Services (20/1) regarding Grant of a Late Hours Catering Licence LH136.

The applicant's legal representative, Mr A Hunter was in attendance, addressed the Committee and answered members' questions.

Resolved:

Late Hours Catering Licence LH136 be granted for a period of 3 years with effect from 9 January 2020.

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.

PERTH AND KINROSS COUNCIL
LICENSING COMMITTEE
9 JANUARY 2019

8. SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER LICENCE NO. TD1711

There was submitted a report by the Head of Legal and Governance Services (20/2) together with (1) a letter of representation dated 17 December 2019 from Police Scotland; (2) a letter providing further information from the Licensing Department dated 18 December 2019; and (3) character references submitted on behalf of the licence holder, regarding Suspension of Taxi/Private Hire Car Driver's Licence No. TD1711.

The applicant was in attendance, accompanied by his employer.

The representative of Police Scotland addressed the Committee and answered Members' questions. The applicant and his employer, and the Licensing Officer, Perth and Kinross Council also addressed the Committee and answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Motion (Councillors C Ahern and A Parrott) – Taxi/Private Hire Car Driver's Licence TD1711 be not suspended on the basis that the licence holder continues to attend regular one-to-one meetings with his employer.

Amendment (Councillor D Illingworth and R McCall) – Taxi/Private Hire Car Driver's Licence TD1711 be suspended for a period of two weeks due to the potential risk posed by the holder to public safety.

In terms of Standing Order 55, a roll call vote was taken.

2 Members voted for the Amendment as follows:
Councillors D Illingworth and R McCall.

4 Members voted for the Motion as follows:
Councillors C Ahern, A Coates, A Parrott and M Williamson

Resolved:

In accordance with the Motion.

HAVING DECLARED A NON-FINANCIAL INTEREST IN THE FOLLOWING ITEM, COUNCILLOR A COATES LEFT THE MEETING AT THIS POINT.

9. SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER'S LICENCE – TD1520

There was submitted a report by the Head of Legal and Governance Services (20/3) together with (1) a letter of representation dated 10 December 2019 from Police Scotland; and (2) letters of objection dated 11 June 2019 and 22 October 2018 also from Police Scotland regarding Suspension of Taxi/Private Hire Car Driver's Licence No. TD1520.

PERTH AND KINROSS COUNCIL
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The applicant was in attendance.

The representatives of Police Scotland addressed the Committee and answered Members' questions. The applicant addressed the Committee and answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

Taxi/Private Hire Car Driver Licence No. TD1520 be suspended with effect from 9 January 2020 for the duration of the licence on the grounds that the licence holder is no longer a fit and proper person to be the holder of the licence.

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# **PERTH AND KINROSS COUNCIL**

## **Licensing Committee**

**20 February 2020**

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

**Report by Head of Legal and Governance Services (Report No. 20/51)**

#### **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. A report was submitted to the Licensing Committee on 21 February 2019 (Report 19/49) and the Committee agreed to an increase in fees.

#### **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 2020. The increase in fees represents an inflationary increase of approximately 2%, in keeping with the Bank of England Consumer Price inflation index as at January 2020. Fees are rounded up to the nearest £1.

#### **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 2020.
- 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 Gilkison | Licensing Manger   | 01738 475159           |

**Approved**

| <b>Name</b>  | <b>Designation</b> | <b>Date</b> |
|--------------|--------------------|-------------|
| Sarah Rodger | Legal Manager      | 28/01/2020  |

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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 2020 |                       |                        |
|-------------------------------------------------------------------------------------------------------------|-----------------------|------------------------|
| Application Type                                                                                            | Current Fee 1yr / 3yr | Proposed Fee 1yr / 3yr |
| Knife Dealers (Fairs)                                                                                       | 65/na                 | 66                     |
| Knife Dealers                                                                                               | 255/305               | 260/311                |
| Second Hand Dealer                                                                                          | 205/305               | 209/311                |
| Stalls Antique Fairs                                                                                        | 65/na                 | 66/NA                  |
| Cabinet at Antique Centre                                                                                   | 65/155                | 66/158                 |
| Stamp Fairs – Second Hand Dealer                                                                            | 40/na                 | 41/NA                  |
| Late Hours Catering                                                                                         | 355/410               | 362/418                |
| Itinerant Metal Dealer                                                                                      | 125/190               | 128/194                |
| Market Operator                                                                                             | 215/285               | 219/291                |
| Market Operator when Public Entertainment Licence is in place for same event                                | 105/185               | No change              |
| Metal Dealer                                                                                                | 215/285               | 219/291                |
| Second Hand Car Dealer                                                                                      | 205/305               | 209/311                |
| Sex Shop                                                                                                    | 1225/na               | 1250                   |
| Skin Piercing and Tattoo                                                                                    | 255/315               | 260/321                |
| Material Change Civic                                                                                       | 70                    | 71                     |
| Indoor Sports Entertainment                                                                                 | 195/265               | 199/270                |
| Street Traders                                                                                              | 165/235               | 168/240                |
| Street Trader Variation                                                                                     | 105                   | 107                    |
| Window Cleaner                                                                                              | 110/165               | 112/168                |
| <b>Public Entertainment Licence</b>                                                                         |                       |                        |
| Community Hall                                                                                              | 185/245               | 189/250                |
| Capacity <200                                                                                               | 185/245               | 189/250                |
| Capacity 201-1500                                                                                           | 295/360               | 301/367                |
| Capacity 1501-5000                                                                                          | 715/820               | 729/836                |
| Capacity 5001-20000                                                                                         | 1535/2045             | 1566/2086              |
| Capacity >20000                                                                                             | 3065/4085             | 3126/4167              |
| Fun Fair                                                                                                    | 305/490               | 311/500                |
| Fun Fair/Inflatables with less than 5 kids rides at Community Event                                         | 65.00                 | No change              |
| <b>Taxi / Private Hire Cars</b>                                                                             |                       |                        |
| Booking Office                                                                                              | 195/260               | 199/265                |
| Test Fee with meter                                                                                         | 95.00                 | No change              |
| Meter Test                                                                                                  | 37.50                 | No change              |
| Test Fee without meter                                                                                      | 57.50                 | No change              |

| <b>Application Type</b>                                      | <b>Current Fee 1yr / 3yr</b>                 | <b>Proposed Fee 1yr / 3yr</b> |
|--------------------------------------------------------------|----------------------------------------------|-------------------------------|
| Taxi / Private Hire Drivers Licence new                      | 140/195                                      | 143/199                       |
| Taxi / Private Hire Drivers Licence renewal                  | 115/170                                      | 117/173                       |
| Private Hire Operators Licence                               | 60/115/235<br>WAV/ULH/Car                    | 61/117/240<br>WAV/ULH/Car     |
| Taxi Operators Licence                                       | 70/135/280<br>WAV/ULH/Car                    | 71/138/286<br>WAV/ULH/Car     |
| Vehicle Substitution                                         | As test fee                                  | No change                     |
| Advertisement                                                | 70                                           | 71                            |
| Vehicle Registration Change                                  | 45                                           | 46                            |
| Taxi Plate Mounting front and back at first grant            | 30.00 (15.00)<br>Set – 30.00<br>Each – 15.00 | No change                     |
| Private Hire Plate Mounting and door stickers at first grant | 35.00 (20.00<br>without mounting)            | No change                     |
| Taxi/Private Hire replacement plate and bracket set          | 30.00                                        | No change                     |
| Replacement Plate                                            | 15.00 (each)                                 | No change                     |
| Replacement Bracket                                          | 15.00 (each)                                 | No change                     |
| Replacement Badge/Licence                                    | 10.00                                        | No change                     |
| Replacement Plate Mounting                                   | 15.00                                        | No change                     |
| Replacement door stickers                                    | 10.00 (per sticker)                          | No change                     |
| <b>HMO Housing (Scotland) Act 2006</b>                       |                                              |                               |
| Occupancy up to 5                                            | na/700                                       | na/714                        |
| Occupancy up to 20                                           | na/745                                       | na/760                        |
| Occupancy over 21                                            | na/845                                       | na/862                        |
| Occupancy 76+                                                | na/935                                       | na/954                        |
| Variation to HMO                                             | 70                                           | 71                            |

# PERTH AND KINROSS COUNCIL

## Licensing Committee

20 February 2020

### Taxi and Private Hire Drivers' Knowledge Test Update

Report by Head of Legal & Governance Services (Report No. 20/52)

#### PURPOSE OF REPORT

The purpose of this report is to provide an update to Members with regards to the knowledge test for Private Hire Car Drivers and Taxi Car Drivers.

#### 1. BACKGROUND / MAIN ISSUES

- 1.1. The Council, as Licensing Authority, regulates civic licensing under the Civic Government (Scotland) Act 1982.
- 1.2. Within the Civic Government (Scotland) Act 1982 provision is made for the Council to require applicants for a Taxi/Private Hire Driver Licence to take a test of knowledge of the geographical area. Such tests may relate to the layout of roads within the area and other matters relating to the operation of a taxi/private hire as the Council may consider desirable.
- 1.3. A report was submitted and approved by the Licensing Committee on 10 January 2019 (Report number 19/1) which resulted in the introduction of the Taxi/Private Hire Car Driver knowledge test. It was agreed that this would be introduced for both renewals and new applications; however, it was also agreed that it would be introduced for new applications only initially. This was to allow the Licensing Manager to monitor staff time and resources required to undertake the knowledge test. An update to was to be provided to the Committee at a future date.
- 1.4. The taxi/private hire driver's knowledge test comprises 60 questions in six parts:
  - Part 1 – questions relating to Public Buildings and Local Landmarks,
  - Part 2 – Street Names,
  - Part 3 – Routes,
  - Part 4 – Knowledge of the Highway Code,
  - Part 5 – questions relating to the conditions of the licence,
  - Part 6 – Arithmetical and general questions.
- 1.5. The test takes the form of multiple-choice questions/answers for 4 parts and written answers for 2 parts of the test.

- 1.6 The pass rate for the test is 85% (applicants must answer 51 questions correctly to pass). However, should an applicant obtain a score of between 45 and 51, rather than requiring the applicant re-sit the entire test, it was considered to be more effective to have the applicant revise and re-sit part/s of the test where they did not achieve the necessary mark. This has proved to be highly successful with all applicants managing to pass their partial re-sits on the first attempt.
- 1.7 Applicants are given three attempts to pass the test. If an applicant does not pass after three attempts, the application is deemed to be voluntarily withdrawn and no refund is given. This restriction is required to ensure continued compliance with the time limit within which applications must be determined (9 months).
- 1.8 If the applicant fails to take the test after three appointments have been sent out, the application is also deemed to be voluntarily withdrawn and no refund is given.
- 1.9 To date, 62 applications have been received, out of which 42 applicants have successfully passed the test (67%), 12 are awaiting re-sits and 8 have been marked as voluntarily withdrawn.
- 2.0 It has been found that the administration of the test by a small team takes up a considerable amount of time. It is therefore proposed that the test is provided to new applicants only. This will be kept under review, and a further report will be submitted to Committee in the future if it is considered that the position should change.

## **2. PROPOSALS**

- 2.1 It is proposed that the Committee approve that the Taxi/Private Hire Car Drivers' Knowledge Test continue for new applications only.

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

- 3.1 It is recommended that the committee
- (i) notes the progress in implementing the knowledge test for taxi/private hire drivers; and
  - (ii) agrees that the Taxi/Private Hire Car Driver knowledge test continues to be in place for new applications only.



**Author(s)**

| <b>Name</b>    | <b>Designation</b> | <b>Contact Details</b> |
|----------------|--------------------|------------------------|
| Debra Gilkison | Licensing Manager  | dmerchant@pkc.gov.uk   |

**Approved**

| <b>Name</b>  | <b>Designation</b> | <b>Date</b> |
|--------------|--------------------|-------------|
| Sarah Rodger | Legal Manager      | 28/01/2020  |

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Council Text Phone Number 01738 442573

# 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>None</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>None</b>       |
| Sustainability (community, economic, environmental) | <b>None</b>       |
| Legal and Governance                                | <b>Yes</b>        |
| Risk                                                | <b>None</b>       |
| <b>Consultation</b>                                 |                   |
| Internal                                            | <b>None</b>       |
| External                                            | <b>Yes</b>        |
| <b>Communication</b>                                |                   |
| Communications Plan                                 | <b>None</b>       |

## 1. Strategic Implications

Community Plan/Single Outcome Agreement  
Not applicable.

Corporate Plan  
Not applicable.

## 2. Resource Implications

Financial

- 2.1 The cost for administering the 'Knowledge Test' will be met by an increase in the fee for the grant of a Taxi/Private Hire Driver's Licence.

Workforce  
2.2 None

2.3 Asset Management (land, property, IT)  
Not applicable

## 3. Assessments

3.1 Equality Impact Assessment

A full EFIA has determined that the proposal is relevant for the purposes of EFIA, with the following outcome being decided:

1. No major change is required. The Policy, Practice, Project, Service Reform or Budget Option is robust and can continue without amendment.

3.2 Strategic Environmental Assessment

Not applicable

3.3 Sustainability

Not applicable

3.4 Legal and Governance

The proposals comply with the provisions of the Civic Government (Scotland) Act 1982.

3.5 Risk

Not applicable

**4. Consultation**

4.1 Internal

None

4.2 External

Engagement has taken place in the form of a Working Group from the Taxi Trade in relation to the Knowledge Test.

**5. Communication**

Communications Plan

5.1 Not applicable

**6. BACKGROUND PAPERS**

Not applicable

**7. APPENDICES**

None



**PERTH AND KINROSS COUNCIL**

**Licensing Committee – 20 February 2020**

**GRANT OF A LATE HOURS CATERING LICENCE NO. LH137**

**Report by Head of Legal and Governance Services (Report No. 20/53)**

|                               |                                                                                                                                                                                                                                                                                                                                                                                                                                      |
|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <b>Name and Address:</b>      | <p>Motor Fuel Limited<br/>         Gladstone Place<br/>         36-38 Upper Marlborough Road<br/>         St Albans<br/>         Hertfordshire<br/>         AL1 3UU</p> <p>Premises: Strathtay Service Station<br/>         Edinburgh Road<br/>         Perth<br/>         PH2 8DX</p>                                                                                                                                               |
| <b>9 Month Decision Date:</b> | 16 April 2020                                                                                                                                                                                                                                                                                                                                                                                                                        |
| <b>Reason for Report:</b>     | The applicant has applied for a Late Hours Catering Licence for 11pm to 5am, 365 days per year. This application is out with current policy.                                                                                                                                                                                                                                                                                         |
| <b>Background Information</b> | <p>The current policy is 11pm until 1am.</p> <p>A late-hours catering licence currently exists for the premises and is due for renewal 4 July 2020. Confirmation received from applicant's agent on 16 October 2019 that the existing licence shall be surrendered on grant of this application. Additional conditions were imposed on these premises on 3 June 2010 by the Licensing Committee. Please see attached Appendix 1.</p> |

**Contact Officer: Debbie Gilkison Ext 75159**



**Appendix 1**

1. The licence has been granted for three years or such shorter period as determined by the Council and is valid to the date shown on the licence.
2. The premises shall not open for the sale or consumption of food or other items between the latest time mentioned on Late Hours Catering Licence LH91 for each particular day and 5am.
3. The licence holder shall ensure that (a) the structure of the premises; and (b) the preparation and storage of food, are in compliance with the Food Safety (General Food Hygiene) Regulations 1995 as amended/updated.
4. The licence holder shall take such measures as may be necessary to prevent noise nuisance to residents and occupiers of premises in the vicinity.
5. The licence holder shall provide litter bins or other receptacles for the disposal of any refuse or litter which may arise as a result of trading, and such bins shall be provided both inside and outside take-away food premises.
6. The licence holder shall ensure that there is a litter and waste management policy in place for the premises and immediate outside vicinity to the satisfaction of the Council.
7. The licence holder shall comply with, or ensure compliance with, all fire precaution requirements, and shall ensure that all fire appliances are properly maintained to the satisfaction of the Firemaster.
8. Notwithstanding the above and any other conditions annexed, the licence holder, while trading, shall comply with any order or instruction given by an Officer of Tayside Police Force:
  - (a) for the prevention of obstruction or annoyance to the public or to the occupiers of any premises; or
  - (b) in connection with emergency or disturbance; or
  - (c) on any other occasion when an Officer at his discretion may consider it necessary in the public interest to give such order or instruction.
9. The licence holder shall notify the Council of any material change of circumstances affecting him/her or any other person or company named on the licence or affecting the activity to which the licence relates. A licence holder who ceases to carry out late hours catering before the expiry of the licence, or whose licence has been suspended by the Council, or has expired, shall, within 7 days, return the licence to the Head of Legal Services.

