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Council Building  
2 High Street  
Perth  
PH1 5PH

20/10/2022

A hybrid meeting of the **Licensing Committee** will be held in **the Council Chamber** on **Thursday, 27 October 2022 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).

**THOMAS GLEN**  
Chief Executive

***Those attending the meeting are requested to ensure that all notifications are silent on their device and other devices are in silent mode.***

***Please note that the meeting will be broadcast online and recorded. The recording will be publicly available on the Council's website following the meeting.***

**Members:**

Bailie Mike Williamson (Convener)  
Councillor Iain MacPherson (Vice-Convener)  
Bailie Chris Ahern  
Councillor Keith Allan  
Councillor Hugh Anderson  
Bailie Rhona Brock  
Councillor Steven Carr  
Councillor Eric Drysdale  
Councillor Ken Harvey  
Councillor David Illingworth  
Councillor Crawford Reid  
Councillor Willie Robertson  
Councillor Grant Stewart



**Licensing Committee**

**Thursday, 27 October 2022**

**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 MINUTES**

**(i) MINUTE OF MEETING OF LICENSING COMMITTEE OF 8 SEPTEMBER 2022 FOR APPROVAL** **5 - 8**  
(copy herewith)

**(ii) MINUTE OF MEETING OF LICENSING COMMITTEE OF 22 SEPTEMBER 2022 FOR APPROVAL** **9 - 10**  
(copy herewith)

**4 VARIATION OF A LATE HOURS CATERING LICENCE NO. LH144** **11 - 12**  
Report by Head of Legal Services (copy herewith 22/254)

**5 MATERIAL CHANGE IN CIRCUMSTANCES - TAXI OPERATOR LICENCE - TO47** **13 - 20**  
Report by Head of Legal Services (copy herewith 22/255)

***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 GRANT OF TAXI/PRIVATE HIRE CAR DRIVER LICENCE - TD/2145 - 1 YEAR**  
• Exempt Reason 14 - Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

**P2 GRANT OF TAXI/PRIVATE HIRE CAR DRIVER LICENCE - TD/2138 - 1 YEAR**

- Exempt Reason 14 - Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

**P3 RENEWAL OF TAXI/PRIVATE HIRE CAR DRIVER LICENCE - TD1785 - 1 YEAR**

- Exempt Reason 14 - Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

**P4 SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER LICENCE - TD1267**

- Exempt Reason 14 - Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime.

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You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.

## LICENSING COMMITTEE

Minute of hybrid meeting of the Licensing Committee held in the Council Chambers, 2 High Street, Perth on Thursday 8 September 2022 at 10.00am.

Present: Bailie M Williamson, Councillor I MacPherson, Councillors K Allan, H Anderson, Bailie R Brock, Councillors S Carr, E Drysdale, K Harvey, D Illingworth (Item P3 only), W Robertson and G Stewart.

In Attendance: A Brown, D Gilkison, J Guild, S McQueen and M Pasternak (all Corporate and Democratic Services), J Allen and K Thomson-Craig (Police Scotland).

Apologies for Absence: Bailie C Ahern and Councillor C Reid.

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 Brock declared an interest in Item P1 Suspension of Taxi/Private Hire Car Driver Licence – TD1507.

### 3. MINUTES

The Minute of Meeting of the Licensing Committee of 3 August 2022 was submitted and approved as a correct record.

### 4. NOTICE OF PUBLIC PROCESSION – AUCHTERARDER RUNNING FESTIVAL

This item was withdrawn from consideration prior to the meeting.

### 5. VARIATION OF CONDITION OF STREET TRADER LICENCE – ST452

There was submitted a report by the Head of Legal and Governance Services (22/206) together with application form, photographs of the proposed site, street trader licence conditions and four letters of objection in relation to the variation of a street trader licence.

The applicant was in attendance via telephone.

Joanna Miller, Applicant's Solicitor, attended the meeting, addressed the Committee, and answered Members' questions.

Liam Cayless, Objector, attended the meeting, addressed the Committee, and answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

**Resolved:**

Variation of Condition 7 of Street Trader Licence ST452, be granted.

**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.**

HAVING DECLARED AN INTEREST IN THE FOLLOWING ITEM, BAILIE BROCK LEFT THE CHAMBERS.

**P1. SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER LICENCE – TD1507**

There was submitted a report by the Head of Legal and Governance Services (22/207) together with a letter of representation dated 11 August 2022 from Police Scotland, regarding Suspension of a Taxi 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 TD1507, be not suspended.

**P2. CONTINUED SUSPENSION OF STREET TRADER LICENCE – ST396**

There was submitted a report by the Head of Legal and Governance Services together with a letter of objection dated 18 August from Police Scotland, regarding Immediate Suspension of a Street Trader Licence.

The applicant failed to attend.

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

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

**Motion (Bailie Williamson and Councillor Harvey)**

**Suspension of Street Trader Licence ST396 be continued until 14 January 2024.**

Amendment (Councillors Allan and Robertson)

Street Trader Licence ST396 be revoked immediately.

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

**6 members voted for the Motion as follows:**

**Bailies Brock and Williamson and Councillors Carr, Drysdale, Harvey and Stewart.**

4 members voted for the Amendment as follows:

Councillors Allan, Anderson, MacPherson and Robertson.

**Resolved:**

Suspension of Street Trader Licence ST396 be continued until 14 January 2024.

**P3. GRANT OF TAXI/PRIVATE HIRE CAR DRIVER LICENCE – TD2126**

There was submitted a report by the Head of Legal and Governance Services (22/213) together with a letter of representation dated 20 July 2022 from Police Scotland, regarding Grant of a Taxi 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.





## LICENSING COMMITTEE

Minute of hybrid meeting of the Licensing Committee held in the Council Chambers, 2 High Street, Perth on Thursday 22 September 2022 at 3:30pm.

Present: Bailie M Williamson (Convener), Councillor I MacPherson (Vice-Convener), Bailie C Ahern, Councillors K Allan, H Anderson, S Carr, E Drysdale, K Harvey, D Illingworth, C Reid, W Robertson and G Stewart.

In Attendance: D Gilkison, S Rodger, J Guild, A Brown and M Pasternak (all Corporate and Democratic Services).

Apologies for Absence: Bailie R Brock.

Councillor 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

Councillor W Robertson declared an interest In Item 4. Licensing of Short Term Lets and left the meeting at this point.

### 3. DEPUTATIONS

In terms of Standing Order 13, the Committee agreed to hear deputations in relation to Item 4. Licensing of Short Term Lets.

### 4. LICENSING OF SHORT TERM LETS

There was submitted a report by the Head of Legal and Governance Services (22/233) regarding the Licensing of Short Term Lets.

D Gilkison, Licensing Manager, attended the meeting, addressed the Committee, and answered Members' questions.

Councillor Angus Forbes, attended the meeting, addressed the Committee, and answered Member's questions.

Fiona Campbell, Chief Executive of The Association of Scotland's Self Caterers, attending the meeting, addressed the Committee, and answered Member's questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

**Resolved:**

The Committee:

- (i) Note and consider the views expressed in response to the public consultation exercise which was carried out between 5 August 2022 and 25 August 2022;
- (ii) Approve the final draft policy (Appendix 2) for publication including the table of fees and additional conditions subject to any amendments the Licensing Committee wish to make after consideration of the consultation responses; and
- (iii) Instructs the Head of Legal and Governance Services to publish the final Policy online, subject to any amendments, no later than 1 October 2022.

**PERTH AND KINROSS COUNCIL****Licensing Committee – 27 October 2022****VARIATION OF A LATE HOURS CATERING LICENCE NO. LH144****Report by Head of Legal Services**

<b>Name and Address:</b>	<p>Ayasofya Ltd 7 Bracken Brae Perth PH1 2SF</p> <p>Premises: Ayasofya Turkish Grill 56 Scott Street Perth PH2 8JW</p>
<b>Expiry Date:</b>	21 August 2025
<b>Reason for Report:</b>	The applicant has applied for a Variation of Late Hours Catering Licence to extend the current licence to 3.30am, Thursday to Sunday. This application is out with current policy. The premises is currently licensed from 11pm to 1am, Monday to Sunday.
<b>Background Information</b>	The current policy is 11pm until 1am.

**Contact Officer: D Gilkison** [REDACTED]



**PERTH AND KINROSS COUNCIL**

**Licensing Committee – 27 October 2022**

**MATERIAL CHANGE IN CIRCUMSTANCES – TAXI OPERATOR LICENCE –  
TO47**

**Report by Head of Legal Services**

(Report No 22/255)

<b>Name and Address:</b>	Partnership of Muhammad Nazir & Batool Batool 80 Cluny Terrace Perth PH1 2HP
<b>9 Month Decision Date:</b>	17 July 2023
<b>Reason for Report:</b>	The applicant has submitted a request to vary the terms and conditions of his operator licence, with regard to the age limit for replacing vehicles (see attached copy application received 18 October 2022).
<b>Background Information:</b>	<p>Current policy is that a taxi or private hire car shall be no more than 10 years old from the date of first registration before being replaced, however all vehicles for a taxi or private hire operator licence if wheelchair accessible (WAV) must be no more than 12 years old from date of first registration before being replaced.</p> <p>The Applicant's vehicle will be 10 years old on the date of first registration on the 14 January 2023. The applicants' vehicle fitness test is due to expire on 14 January 2023.</p>

**Contact Officer: D Gilkison**





## For Official use only

Date received	
Receipt No.	

**REQUEST FOR CONSENT TO MATERIAL CHANGE  
IN CIRCUMSTANCES OR ALTERATION OF  
CIVIC GOVERNMENT (SCOTLAND) ACT, 1982 LICENCE  
TAXI/PRIVATE HIRE DRIVER, TAXI OPERATOR, PRIVATE HIRE OPERATOR  
LICENCE**

**PLEASE COMPLETE IN BLOCK CAPITALS**

<b>Question 1 – Licence holder details</b>	Request for TAXI Vehicle Age Extension.	
<b>Licence holder name</b>	MUHAMMAD NAZIR	
<b>Licence holder address</b>	[REDACTED]	
	<b>Postcode</b>	[REDACTED]
<b>Contact telephone number</b>	[REDACTED]	
<b>Email address</b>	[REDACTED]	
<b>Question 2 – Licence Details</b>		
<b>Type of Licence held</b>	Taxi/Private Hire Driver <input type="checkbox"/> Taxi Operator <input checked="" type="checkbox"/> Private Hire Operator <input type="checkbox"/>	
<b>Licence Number</b>	T.O. 47	

<b>Question 3 – Variation Details</b>			
Do you wish to remove someone from your licence?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/a <input type="checkbox"/>	
If "yes", please provide full details of the person to be removed.		Surname	
		Forename/s	
Do you wish to add someone to your licence?		Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> Na <input type="checkbox"/>	
If "yes", please provide full details of the person to be added.		Surname	
		Forename/s	
Private Home Address including postcode			
		Postcode	
Telephone Number		Home	
		Mobile	
		E-mail	
Date and place of birth		Years	Date of Birth
			Place of Birth



<b>Does he/she have any convictions</b>	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			
<b>Please list all current Convictions (Please use separate sheet if necessary)</b>	<b>Date</b>	<b>Court</b>	<b>Offence</b>	<b>Sentence</b>
<b>Has the new person (if applicable) lived in the UK for at least 10 years?</b> If no, please provide a letter from your home country confirming that you do not have any convictions.	Yes <input type="checkbox"/> No <input type="checkbox"/>			
<b>Do you have a change in your medical history?</b>	Yes <input type="checkbox"/> No <input type="checkbox"/> Na <input type="checkbox"/>			
<b>If "yes" please provide details of your medical condition.</b>	<p>Date first diagnosed - - / - - / - - - -</p> <p>Condition _____</p> <p>Are you receiving any medication/medical attention in connection with this condition? Yes <input type="checkbox"/> No <input type="checkbox"/></p> <p>Describe the effect this may have on your fitness to drive a Taxi/Private Hire car _____</p> <p>Do you have any medical condition which would prevent you carrying a guide dog or assistance dog in your vehicle?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>			

<p>Are you informing the Licensing Department of criminal convictions and/or driving offences?</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/> Na <input type="checkbox"/></p> <p>Type of criminal conviction – _____</p> <p>Sentence _____</p> <p>Driving Offence _____</p> <p>Points obtained _____</p>		
<p>Are you applying to display advertisement/s on your vehicle?</p>	<p>Yes <input type="checkbox"/> No <input type="checkbox"/> Na <input type="checkbox"/></p> <p>Attach a design proof of the advertising clearly showing where the advertising will be placed on the vehicle.</p> <p>Please confirm that you are displaying "Pre Book Hire" signs?</p> <p>Yes <input type="checkbox"/> No <input type="checkbox"/></p>		
<p>Are there any other changes that are not listed above that you wish to make.</p> <p>Please give as much information to the change you wish to make.</p>	<p>Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> <i>As you know COVID 19 CAR was not much on the ROAD so no much done and now cost of living &amp; inflation its big expence if you please extension my car age up three years its big help for me &amp; my family.</i></p>		
<p><b>6. CHECKLIST</b></p>			
(a)	<p>Have you enclosed/made payment of the £71.00 fee</p>	<p>Yes <input type="checkbox"/></p>	<p>N/A <input type="checkbox"/></p>
(b)	<p>Have you enclosed a design proof of the advertising you wish on your vehicle</p>	<p>Yes <input type="checkbox"/></p>	<p>N/A <input type="checkbox"/></p>
(c)	<p>If the person/s who I have added to my licence has not lived in the UK for 10 years I have enclosed a letter from their home country confirming that I/my manager have/have not got any convictions</p>	<p>Yes <input type="checkbox"/></p>	<p>NA <input type="checkbox"/></p>



## HOW WE USE YOUR PERSONAL INFORMATION

The information provided by you will be used by Perth & Kinross Council to process your application and thereafter to keep you informed of any updates with regard to your application or licence.

Your information will be shared with Police Scotland, Scottish Fire and Rescue Service, Planning Service and Environment Services in order to determine if you are a fit and proper person to hold a licence. A requirement for this licence is to display a site notice for 21 days which the public can view and this will contain personal information which will include your name and address.

The Council may also check information provided by you, or information about you provided by a third party, with other information held by us. We may also get information from certain third parties or share your information with them in order to verify its accuracy, prevent or detect crime, protect public funds or where required by law.

You should be aware that the names of individuals who hold this licence appear on a register which is available for public inspection

I declare that the particulars given by me on this form are true. I consent to the sharing of my personal information for the purposes set out above.

Signature of applicant/agent .  .....

Date .10.10.2022 .....

Signature of applicant(s) to be removed from licence or added to licence .....

.....Date .....

**It is an offence to make any statement in this application which you know to be false or to recklessly make any statement which is false in a material particular. Offences are punishable by a fine up to £1,000.**

**June 2019**

