

LICENSING COMMITTEE

Minute of hybrid meeting of the Licensing Committee held in the Council Chambers, 2 High Street, Perth on Thursday 16 June 2022 at 10.00am.

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

In Attendance: M McLaren, S Michie and A Taylor (all Corporate and Democratic Services); K Thomson-Craig (Police Scotland).

Apologies for Absence: Councillors K Allan, R Brock, K Harvey and W Robertson

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

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

3. MINUTES

The Minute of Meeting of the Licensing Committee of 7 April 2022 was submitted and approved as a correct record.

4. MATERIAL CHANGE IN CIRCUMSTANCES – PRIVATE HIRE OPERATOR LICENCE – PH313

There was submitted a report by the Head of Legal and Governance Services (22/126) regarding a Material Change in Circumstances for Private Hire Operator Licence PH313.

The licence holder joined the meeting via telephone, addressed the Committee and answered Members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

The application for a 1-year extension to Private Hire Operator Licence PH313 be refused as there was no extenuating circumstances in this case that would warrant the requirement to go outside of the current policy.

Councillor C Reid moved an amendment that Private Hire Operator Licence PH313 be granted a 1-year extension if the vehicle was deemed to be fit for purpose.

On failing to secure a seconder, the Amendment subsequently fell.

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 STREET TRADERS LICENCE – NO. ST447

There was submitted a report by the Head of Legal and Governance Services (22/127), together with a letter of objection dated 20 May 2022 from Police Scotland, regarding Grant of Street Traders Licence No. ST447.

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:

Street Traders Licence No. ST447 be granted for a period of 1-year.

DUE TO TECHNICAL DIFFICULTIES IN GETTING THE LICENCE HOLDER FOR ITEM P2 INTO THE MEETING. THE COMMITTEE DECIDED TO VARY THE ORDER OF BUSINESS AT THIS POINT TO TAKE ITEMS P3 AND P4 BEFORE RETURNING TO ITEM P2.

P3. RENEWAL OF TAXI / PRIVATE HIRE CAR DRIVER LICENCE – TD1881

There was submitted a report by the Head of Legal and Governance Services (22/129) together with a letter of objection dated 20 April 2022 from Police Scotland, regarding Renewal of Taxi / Private Hire Car Driver Licence No. TD1881.

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 Drivers' Licence TD1881 be renewed for a period of 3 years.

P4. GRANT OF TAXI / PRIVATE HIRE CAR DRIVER LICENCE – TD2102

There was submitted a report by the Head of Legal and Governance Services (22/130) together with a letter of representation dated 21 April 2022 from Police Scotland, regarding Renewal of Taxi / Private Hire Car Driver Licence No. TD2102.

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 (Councillors M Williamson and D Illingworth)

The application for grant of Taxi/Private Hire Care Driver Licence No. TD2102 be granted for a period of 1-year.

Amendment (Councillors C Ahern and E Drysdale)

The application for a grant of Taxi/Private Hire Car Driver's Licence No. TD2102 be refused on the grounds that the applicant is not a fit and proper person to hold a Taxi/Private Hire Car Driver Licence.

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

**5 members voted for the Motion as follows:
Councillors D Illingworth, I MacPherson, C Reid, G Stewart and M Williamson.**

4 members voted for the Amendment as follows:
Councillors C Ahern, H Anderson, S Carr and E Drysdale.

Resolved:
In accordance with the Motion.

P2. SUSPENSION OF TAXI / PRIVATE HIRE CAR DRIVER LICENCE – TD1851

There was submitted a report by the Head of Legal and Governance Services (22/128) together with a letter dated 19 May 2022 from Police Scotland requesting Suspension of Taxi / Private Hire Car Driver Licence No. TD1851.

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 Drivers' Licence TD1851 be not suspended.

P5. GRANT OF TAXI / PRIVATE HIRE CAR DRIVER LICENCE – TD2106

There was submitted a report by the Head of Legal and Governance Services (22/131) together with a letter of objection dated 31 May 2022 from Police Scotland, regarding Grant of Taxi / Private Hire Car Driver Licence No. TD2106.

The application failed to attend.

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

Resolved:

Grant of Taxi/Private Hire Car Driver's Licence TD2106 be refused, on the grounds that the applicant is not a fit and proper person to be the holder of a Taxi/Private Hire Car Driver's Licence.