

# **LICENSING COMMITTEE**

Minute of Meeting of the Licensing Committee held virtually via Microsoft Teams on Thursday 19 November 2020 at 10.00am.

Present: Councillors C Ahern (Convener), D Illingworth (Vice-Convener), K Baird, R Brock, A Coates, R McCall, A Parrott (up to item P2), J Rebbeck, C Stewart and M Williamson.

In Attendance: PC L Gregge, PC Y Mas and Sgt J Gordon (all Police Scotland); M McLaren, S McQueen, D Gilkison, S Michie, K Molley, A Brown and M Pasternak (all Corporate and Democratic Services).

Apologies for Absence: F Sarwar and R Watters

Councillor C Ahern (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**

In terms of Councillors' Code of Conduct, Councillor A Parrott declared a non-financial interest in item P1.

## **3. MINUTES**

The Minute of Meeting of the Licensing Committee of 8 October 2020 was submitted and approved as a correct record.

## **4. LICENSING OF SEXUAL ENTERTAINMENT VENUES – CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

There was submitted a report by the Head of Legal and Governance Services (20/221) providing the Licensing Committee with the results of the public consultation, and to try make proposals for further action.

### **Resolved:**

- (i) The responses to the consultation exercise, be noted.
- (ii) It be agreed to license SEVs in Perth and Kinross.
- (iii) It be agreed that from and after 19 November 2021, Schedule 2 of the Civic Government (Scotland) Act 1982 (as modified by Section 76 of the Air Weapons and Licensing (Scotland) Act 2015) is to have an effect in the Perth and Kinross Council area in relation to Sexual Entertainment Venues.
- (iv) The Head of Legal and Governance Services be requested to prepare a SEV policy statement in terms of Section 45C of the 1982 Act, consult on this Policy Statement and bring a subsequent report to Committee for approval prior to November 2021.

## **5. VARIATION OF A LATE HOURS CATERING LICENCE NO. LH119**

There was submitted a report by the Head of Legal and Governance Services (20/224) regarding Variation of Late Hours Catering Licence LH119.

The applicant was in attendance, he addressed the Committee and answered members' questions.

### **Resolved:**

The Variation of Late Hours Catering Licence LH116 to extend current closing hours from 12.00am to 5.00am be granted with effect from 19 November 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.**

THE COMMITTEE AGREED TO VARY THE ORDER OF BUSINESS AT THIS POINT.

## **P2. GRANT OF TAXI / PRIVATE HIRE CAR DRIVER LICENCE NO. TD88**

There was submitted a report by the Head of Legal and Governance Services (20/223) together with (1) letter of objection dated 30 September 2020 from Police Scotland; (2) email of support dated 15 November 2020 from future employer, regarding the Grant of Taxi/Private Hire Car Driver's Licence No. TD88.

The applicant was not in attendance.

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

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

COUNCILLOR BROCK LEFT THE MEETING AT THIS POINT DUE TO CONNECTIVITY ISSUES.

Motion (Councillors C Ahern and J Rebbeck)

The application for a grant of Taxi/Private Hire Care Driver Licence be refused on the grounds that the applicant is not a fit and proper person to be the holder of the Licence.

### **Amendment (Councillors A Parrott and R McCall)**

**The application for a grant of Taxi/Private Hire Car Driver's Licence No. TD88 be granted for a period of 3 years.**

In accordance with Standing Order 58, a roll call vote was taken.

3 members voted for the Motion as follows:  
Councillors C Ahern, J Rebbeck and M Williamson.

6 members voted for the Amendment as follows:  
Councillors K Baird, A Coates, D Illingworth, R McCall, A Parrott and C Stewart.

**Resolved:**

In accordance with the Amendment.

HAVING DECLARED AN INTEREST IN THE FOLLOWING ITEM, COUNCILLOR A PARROTT LEFT THE MEETING AT THIS POINT.

**P1. SUSPENSION OF SECOND-HAND DEALER LICENCE – SD377**

There was submitted a report by the Head of Legal and Governance Services (20/222) regarding Suspension of Second-Hand Dealer Licence No. SD377.

The licence holder was in attendance.

COUNCILLOR BROCK REJOINED THE MEETING AT THIS POINT.

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

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

**Resolved:**

Second-Hand Dealer Licence No. SD377 be not suspended.

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