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Council Building  
2 High Street  
Perth  
PH1 5PH

19 December 2019

A Meeting of the **Licensing Committee** will be held in **the Council Chamber, 2 High Street, Perth, PH1 5PH** on **Thursday, 09 January 2020** 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).

**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, 09 January 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 14 NOVEMBER 2019 FOR APPROVAL AND SIGNATURE** 5 - 10  
(copy herewith)
- 4 LH136 - GRANT OF A LATE HOURS CATERING LICENCE** 11 - 12  
Report by Head of Legal and Governance Services (copy herewith 20/1)

***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 TD1711 - SUSPENSION OF TAXI / PRIVATE HIRE CAR DRIVER LICENCE** 13 - 20  
Report by Head of Legal and Governance Services (copy herewith 20/2)
- P2 TD1520 - SUSPENSION OF TAXI / PRIVATE HIRE CAR DRIVER LICENCE** 21 - 30  
Report by Head of Legal and Governance Services (copy herewith 20/3)

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PERTH AND KINROSS COUNCIL  
LICENSING COMMITTEE  
14 NOVEMBER 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 14 November 2019 at 10.00am.

Present: Councillors C Ahern (Convener), K Baird, A Coates, A Parrott, J Rebbeck and R Watters.

In Attendance: PC C Forbes and PC K Chalmers (Police Scotland); M McLaren, S Michie, V Wisniewska and A Taylor (all Corporate and Democratic Services).

Apologies for Absence: Councillors R Brock, D Illingworth, R McCall, F Sarwar and M Williamson.

Councillor C Ahern (Convener), Presiding.

### 568. WELCOME AND APOLOGIES

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

### 569. DECLARATIONS OF INTEREST

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

### 570. MINUTES

The Minute of Meeting of the Licensing Committee of 3 October 2019 (Arts. 504-509) was submitted and approved as a correct record.

### 571. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – TAXI FARE REVIEW

There was submitted a report by the Head of Legal and Governance Services (19/325) outlining the findings of the most recent review of the scale of fares for taxis in Perth and Kinross, which took place in September 2019. The Council is required to carry out a review of the scale of fares for taxis in Perth and Kinross at intervals of not more than 18 months.

#### **Resolved:**

It be agreed that the existing scale of fares and tariffs for taxis in Perth and Kinross remain unchanged, provided that no responses are received after it has been advertised in the local press.

### 572. VARIATION OF CONDITION 7 OF STREET TRADERS LICENCE NO. ST313

This item of business was withdrawn prior to the meeting.

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**573. APPLICATION FOR THE GRANT OF HOUSE IN MULTIPLE OCCUPANCY LICENCE NO. 14**

There was submitted a report by the Head of Legal and Governance Services (19/327), together with letters of objection received from a neighbour to the property, dated 24 September 2019 and 30 September 2019, regarding a Renewal of House in Multiple Occupancy Licence No. 14.

Mrs M Park, objector was in attendance, addressed the Committee and answered members' questions.

Mr and Mrs Wallace, the applicants were in attendance, addressed the Committee and answered members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

**Motion (Councillors C Ahern and K Baird) – The application for renewal of House in Multiple Occupancy Licence No. 14 be approved for a period of three years.**

Amendment (Councillor A Parrott and J Rebbeck) – The application for renewal of House in Multiple Occupancy Licence No. 14 be refused.

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

2 Members voted for the Amendment as follows:  
Councillors A Parrott and J Rebbeck.

4 Members voted for the Motion as follows:  
Councillors C Ahern, K Baird, A Coates and R Watters.

**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.**

**574. CONTINUED SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER LICENCE NO. TD1055**

There was submitted a report by the Head of Legal and Governance Services (19/321) together with a letter of representation dated 30 September 2019 from Police Scotland regarding Suspension of Taxi/Private Hire Car Driver's Licence No. TD1055.

The applicant was in attendance.

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The representative of Police Scotland addressed the Committee. The applicant also addressed the Committee.

**Resolved:**

Suspension of Taxi/Private Hire Car Driver's Licence No. TD1055 be continued with effect from 14 November 2019 for the duration of the licence, however if the applicant is declared medically fit before that date then he can appear back before Committee to request the suspension be lifted.

**575. SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER LICENCE NO. TD1247**

There was submitted a report by the Head of Legal and Governance Services (19/328) together with a letter of representation dated 3 October 2019 from Police Scotland regarding Suspension of Taxi/Private Hire Car Driver's Licence No. TD1247.

The applicant and his representative were in attendance.

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

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

The Committee had further questions for the applicant and his representative.

FOLLOWING A FURTHER ADJOURNMENT, THE COMMITTEE RECONVENED.

**Resolved:**

Taxi/Private Hire Car Driver's Licence TD1247 be suspended with effect from 14 November 2019 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, with any subsequent application for renewal requiring the applicant to reappear before Committee.

**576. SUSPENSION OF A TAXI/PRIVATE HIRE CAR DRIVER LICENCE NO. TD1482**

There was submitted a report by the Head of Legal and Governance Services (19/329) together with a letter of representation dated 3 October 2019 from Police Scotland regarding Suspension of Taxi/Private Hire Car Driver's Licence No. TD1482.

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.

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FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

**Resolved:**

Taxi/Private Hire Car Driver's Licence No. TD1482 be not suspended.

**577. SUSPENSION OF A TAXI/PRIVATE HIRE CAR DRIVER LICENCE NO. TD1483**

There was submitted a report by the Head of Legal and Governance Services (19/330) together with a letter of representation dated 31 July 2019 from Police Scotland regarding Suspension of Taxi/Private Hire Car Driver's Licence No. TD1483.

The applicant failed to attend.

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

**Motion (Councillors C Ahern and J Rebbeck) – Taxi/Private Hire Car Driver's Licence TD1483 be suspended with effect from 14 November 2019 on the grounds that the licence holder is no longer a fit and proper person to be the holder of the licence.**

Amendment (Councillor R Watters and K Baird) – Consideration of Suspension of Taxi/Private Hire Car Driver's Licence TD1483 be deferred to the next meeting of the Licensing Committee scheduled to take place on 9 January 2020.

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

3 Members voted for the Amendment as follows:  
Councillors K Baird, A Coates and R Watters.

3 Members voted for the Motion as follows:  
Councillors C Ahern, A Parrott and J Rebbeck.

In terms of Standing Order 56, Councillor Ahern as Convener exercised his casting vote in favour of the Motion.

**Resolved:**

In accordance with the Motion.

**578. SUSPENSION OF A TAXI/PRIVATE HIRE CAR DRIVER LICENCE NO. TD1796**

There was submitted a report by the Head of Legal and Governance Services (19/331) together with a letter of representation dated 8 October 2019 from Police Scotland regarding Suspension of Taxi/Private Hire Car Driver's Licence No. TD1796.

The applicant was in attendance, accompanied by his employer.

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

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

**Resolved:**

Taxi/Private Hire Car Driver's Licence No. TD1796 be not suspended.

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**PERTH AND KINROSS COUNCIL**

**Licensing Committee – 9 January 2020**

**GRANT OF A LATE HOURS CATERING LICENCE NO. LH136**

**Report by Head of Legal and Governance Services (Report No. 20/1)**

|                               |                                                                                                                                                                                                                                                                                           |
|-------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <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: St Johnstone Service Station<br/>         2 Dunkeld Road<br/>         Perth<br/>         PH1 5RG</p> |
| <b>9 Month Decision Date:</b> | 11 March 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> | The current policy is 11pm until 1am. The premises were previously licensed between 18 October 2008 and 17 October 2011.                                                                                                                                                                  |

**Contact Officer: Debbie Gilkison Ext 75159**

