

LICENSING COMMITTEE

Minute of hybrid meeting of the Licensing Committee held in the Council Chambers, 2 High Street, Perth, on Monday 29 May 2023 at 1:00pm.

Present: Bailies C Ahern and M Williamson, Councillors K Allan, H Anderson, S Carr, M Frampton, K Harvey, D Illingworth, I MacPherson, W Robertson and G Stewart.

In Attendance: D Gilkison, J Guild, M McLaren, S Michie, M Pasternak and R Ramsay (all Corporate and Democratic Services), R Jamieson (Police Scotland) (Item P1 onwards).

Apologies for Absence: Bailie R Brock 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

No Declarations of Interest were made in terms of the Councillors' Code of Conduct.

3. MINUTES

The Minute of Meeting of the Licensing Committee of 17 April 2023 was submitted and approved as a correct record.

COUNCILLOR I MACPHERSON TOOK THE CHAIR FOR THE REMAINING ITEMS OF BUSINESS.

4. GRANT OF SHORT TERM LET LICENCE – PROVISIONAL LICENCE NO. PK11176N

There was submitted a report by the Head of Legal and Governance Services (23/153), along with a written submission from the applicant and two letters of objection, in relation to the Grant of a Short Term Let Licence – Provisional Licence No. PK11176N.

Mr and Mrs Malcolm, applicants, attended the meeting, addressed the Committee and answered Members' questions.

Mrs Karen Yellowlees, objector to the application, attended the meeting by telephone, addressed the Committee and answered Members' questions.

Resolved:

Application for a Short Term Let Licence – Provisional Licence No. PK11176N, be granted for a period of three years.

5. GRANT OF A SHORT TERM LET LICENCE – PROVISIONAL LICENCE NO. PK11139P

There was submitted a report by the Head of Legal and Governance Services (23/154), along with a written submission from the applicant and a letter of objection, in relation to the Grant of a Short Term Let Licence – Provisional Licence No. PK11139P.

Mrs Maggie Cunningham, applicant, attended the meeting, addressed the Committee and answered Members' questions.

Resolved:

Application for Short Term Let Licence – Provisional Licence No. PK11139P, be granted for a period of three years.

6. MATERIAL CHANGE IN CIRCUMSTANCES OF A PRIVATE HIRE OPERATOR LICENCE – PH273

There was submitted a report by the Head of Legal and Governance Services (23/155), in relation to a Material Change in Circumstances of a Private Hire Operator Licence – PH273.

Ms Kathleen Dyke, applicant, attended the meeting, addressed the Committee and answered Members' questions, supported by Councillor Eric Drysdale.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECOVNEVED.

Motion (Councillors I MacPherson and D Illingworth)

Private Hire Operator Licence No. PH273, be granted an extension until 30/09/2023 to allow delivery of replacement vehicle.

Amendment (Baillie C Ahern and Councillor K Allan)

Application for a Material Change in Circumstances of a Private Hire Operator Licence No. PH273, be refused due to lack of evidence.

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

6 Members voted for the Motion as follows:

Councillors H Anderson, S Carr, M Frampton, D Illingworth, I MacPherson, G Stewart and Baillie M Williamson.

4 Members voted for the Amendment as follows:
Bailie C Ahern, Councillors K Allan, K Harvey and W Robertson.

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.

DUE TO THE FOLLOWING TWO APPLICATIONS BEING FROM THE SAME APPLICANT, IT WAS AGREED THE ITEMS WOULD BE HEARD TOGETHER, WITH DECISIONS TAKEN SEPARATELY.

P1. GRANT OF PRIVATE HIRE OPERATOR LICENCE – PH426

P2. GRANT OF TAXI DRIVER LICENCE – TD2211

There was submitted a report by the Head of Legal and Governance Services (23/156) together with a letter of representation dated 10 March 2023 from Police Scotland, regarding Grant of Private Hire Operator Licence No. PH426.

There was submitted a report by the Head of Legal and Governance Services (23/157) together with a letter of representation dated 5 April 2023 from Police Scotland, regarding Taxi Driver Licence No. TD2211.

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:

- (i) Private Hire Operator Licence No. PH426, be granted for a period of one year.
- (ii) Taxi Driver Licence No TD2211, be granted for a period of three years.

P3. SUSPENSION OF TAXI/PRIVATE HIRE CAR DRIVER LICENCE – TD1554

There was submitted a report by the Head of Legal and Governance Services (23/158) together with a request for suspension dated 2 May 2023 from Police Scotland, regarding Taxi/Private Hire Car Driver Licence No. TD1554.

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 Driver Licence No. TD1554, be not suspended based on insufficient information.

P4. SUSPENSION OF WINDOW CLEANER LICENCE – WC311

There was submitted a report by the Head of Legal and Governance Services (23/159) together with a request for suspension dated 25 April 2023 from Police Scotland, regarding Window Cleaner Licence No. WC311.

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:

Suspension of Window Cleaner Licence No. WC311, be deferred pending court date of 09/08/2023.