

LICENSING COMMITTEE

Minute of Meeting of the Licensing Committee held in the Council Chambers, Council Building, 2 High Street, Perth on Thursday 31 May 2012 at 10.00am.

Present: Councillors Jack Coburn, Bob Ellis, John Flynn, Dennis Melloy and Mac Roberts.

In Attendance: Inspector Martin and S Michie, Licensing Supervisor (both Tayside Police); (up to and including Art 225); S Rodger, W Gibson, L Cormack, N Storrar and P Frazer (all Chief Executive's Service).

Councillor J Coburn, Convener, Presiding.

221. DECLARATIONS OF INTEREST

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

222. MINUTE OF PREVIOUS MEETING

The Minute of the Licensing Committee of 19 April 2012 was submitted, approved as a correct record and authorised for signature.

In terms of Standing Order 19, the Committee unanimously agreed to vary the order of business.

223. VARIATION OF PRIVATE HIRE OPERATOR'S LICENCE – PH346

There was submitted a report by the Head of Legal Services (12/213) together with a letter dated 30 March 2012, from the licence holder, regarding an application to vary the terms and conditions of the licence with regard to the age limit for replacing vehicles.

The licence holder was in attendance, addressed the Committee, and answered members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

Taxi Operator's Licence PH346 be varied for three years, to extend the age limit for replacement of the vehicle, with effect from 28 November 2012, subject to an extended testing schedule to be specified by the Clerk.

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.

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224. GRANT OF WINDOW CLEANERS LICENCE – WC226

There was submitted a report by the Head of Legal Services (12/214), together with letter of representation, dated 2 April 2012, from the Chief Constable, Tayside Police regarding consideration of grant of Window Cleaner's Licence WC226.

The applicant was in attendance, addressed the Committee, and answered members' questions. The representative from Tayside Police also answered members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

Window Cleaner's Licence WC226 be granted for a period of one year, with effect from 31 May 2012.

MEMBERS OF THE PUBLIC RETURNED TO THE PUBLIC GALLERY AT THIS POINT

THE COMMITTEE UNANIMOUSLY DECIDED TO CONJOIN CONSIDERATION OF ITEMS 3 and 4 ON THE AGENDA. THE APPLICANTS AGREED TO THIS COURSE OF ACTION

**225. GRANT OF TAXI OPERATOR'S LICENCE – X15
GRANT OF TAXI OPERATOR'S LICENCE – X16**

There were submitted reports by the Head of Legal Services (12/211 and 12/212) in respect of applications for the grant of a Taxi Operator's Licence (X15 and X16) where only one licence was available.

Mr Nyaga, Mrs Mackie and Mr Mackie were in attendance, addressed the Committee, and answered members' questions.

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

COUNCILLOR B ELLIS DECLARED AN INTEREST AND WITHDREW FROM THE VOTING.

Motion (Councillors D Melloy and M Roberts)

Taxi Operator's Licence X16 be granted for one year with effect from 31 May 2012 subject to the usual terms and conditions of a Taxi Operator's Licence.

Amendment (Councillors J Flynn and J Coburn)

Taxi Operator's Licence X15 be granted for one year with effect from 31 May 2012 subject to the usual terms and conditions of a Taxi Operator's Licence.

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Amendment – 2 votes

Motion – 2 votes

In terms of Standing Order 45 the Convener exercised his casting vote in accordance with the Amendment.

Mr Mackie made representation to the Committee that there were special circumstances which justified departure from policy and the issue of an additional Taxi Operator's Licence for Blairgowrie.

Resolved:

Taxi Operator's Licence X16 be refused on the grounds that there is no significant demand for taxis in the area which is unmet and that there are no special circumstances for a departure from the Committee's policy on the number of Taxi Operators for the Blairgowrie area.

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.

226. GRANT OF SECOND-HAND DEALER'S LICENCE – SD372

There was submitted a report by the Head of Legal Services (12/215) together with a letter of information dated 14 March 2012 from the Chief Constable, Tayside Police regarding consideration of Grant of Second-Hand Dealer's Licence SD372.

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

FOLLOWING A SHORT ADJOURNMENT, THE COMMITTEE RECONVENED.

Resolved:

Second-hand Dealer's Licence SD372 be granted for one year with effect from 31 May 2012.

REPRESENTATIVES OF TAYSIDE POLICE LEFT THE MEETING AT THIS POINT.

227. RENEWAL OF TAXI OPERATOR'S LICENCE – TO112

There was submitted a report by the Head of Legal Services (12/216), regarding consideration of renewal of Taxi Operator's Licence TO112.

The applicant was not in attendance.

Resolved:

Consideration of grant of Taxi Operator's Licence TO112 be deferred to the next meeting of the Licensing Committee, being held on Thursday 12 July 2012, to allow the applicant to attend in person.

228. RENEWAL OF STREET TRADER'S LICENCE – ST222

There was submitted a report by the Head of Legal Services (12/217) regarding consideration of Renewal of Street Trader's Licence ST222.

The licence holder was not in attendance.

Resolved:

Consideration of renewal of Street Trader's Licence ST222 be deferred to the next meeting of the Licensing Committee, being held on Thursday 12 July 2012, to allow the applicant to attend in person.

229. GRANT OF WINDOW CLEANER'S LICENCE – WC227

There was submitted a report by the Head of Legal Services (11/218) regarding consideration of Grant of Window Cleaner's Licence WC227.

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

Resolved:

Window Cleaner's Licence WC227 be granted for a period of one year, with effect from 31 May 2012.

230. GRANT OF WINDOW CLEANER'S LICENCE – WC3

There was submitted a report by the Head of Legal Services (11/219) regarding consideration of Grant of Window Cleaner's Licence WC3.

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

Resolved:

Window Cleaner's Licence WC3 be granted for a period of one year, with effect from 31 May 2012.

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