

## ANGUS COUNCIL

MINUTE of MEETING of the **CIVIC LICENSING COMMITTEE** held in the Town and County Hall, Forfar on Tuesday 25 May 2010 at 6.00 pm.

**Present:** Councillors IAN MACKINTOSH, COLIN BROWN, MAIRI EVANS, DAVID LUMGAIR, JIM MILLAR, ROB MURRAY, HELEN OSWALD, and BOB SPINK.

Councillor MACKINTOSH, Convener, in the Chair.

### 1. APOLOGIES

Apologies for absence were intimated on behalf of Councillors David Fairweather, Mark Salmond and Margaret Thomson.

### 2. DECLARATIONS OF INTEREST

The Committee agreed to note that no declarations of interest were made.

### 3. MINUTE OF PREVIOUS MEETING

The [minute of meeting of this Committee of 4 May 2010](#) was approved as a correct record and signed by the Convener.

### 4. DELEGATED APPROVALS

There was submitted [Report No 391/10](#) by the Director of Corporate Services detailing applications for licences under the Civic Government (Scotland) Act 1982 and other miscellaneous Acts, which had been granted/renewed by the Head of Law and Administration in accordance with the Scheme of Delegation appended to Standing Orders.

The Committee agreed to note the applications, detailed in the Appendix to the Report, granted/renewed under delegated powers during the period 28 April to 12 May 2010.

### 5. CARAVAN SITES AND CONTROL OF DEVELOPMENT ACT 1960 – MODEL CONDITIONS – TEMPORARY WORKER CARAVAN SITES

With reference to Article 12 of the minute of meeting of this Committee of 28 October 2008, there was submitted [Report No 392/10](#) by the Director of Corporate Services seeking approval not to enforce Condition 18 of the Model Standards for Holiday Caravan Sites as currently applied to temporary worker caravan sites.

The Report indicated that agents acting on behalf of an applicant for a caravan site licence had raised the issue of the necessity of this requirement, given the purpose of the accommodation, the difficulty in complying with the request, and the benefit to be accrued given the likely numbers of disabled persons who would be accommodated in temporary worker caravan sites.

It was therefore proposed that, rather than not impose Condition 18 of the Model Standards for holiday caravan sites to temporary worker caravan sites, the Council should determine not to enforce that Condition at the present time. It was also proposed that the situation be monitored and reviewed and if the Council identified that disabled persons may be being discriminated against in respect of access and employment or accommodation, a further Report would be submitted to this Committee.

The Committee agreed:-

- (i) not to enforce Condition 18 of the Model Standards for holiday caravan sites as applied to temporary worker caravan sites at this present time; and
- (ii) that the position would be monitored and reviewed and if necessary a further Report identifying any concerns which may arise would be submitted.

## 6. TEMPLETON FARM, NEWTYLE

There was submitted [Report No 393/10](#) by the Director of Infrastructure Services regarding an application received from Mr William Mitchell, Kinpurnie Farm, Newtyle, for a licence to operate a temporary workers caravan site at Templeton Farm, Newtyle.

The Committee agreed:-

- (i) to grant a temporary workers caravan site licence to Mr Mitchell, Kinpurnie Farm, Newtyle for a site located at Templeton Farm, Newtyle for up to forty static caravans on condition that the site would be configured in accordance with the plan submitted to Environmental and Consumer Protection. The site licence to expire on 7 September 2014;
- (ii) to note that the site would operate between 1 July and 31 August each year; and
- (iii) not to enforce Condition 18 of the Model Standards for holiday caravan sites as applied to temporary worker caravan Sites at this present time.

## 7. MYRETON OF CLAVERHOUSE FARM, DUNDEE

There was submitted [Report No 394/10](#) by the Director of Infrastructure Services regarding an application received from Mrs Helen Christie, Myreton of Claverhouse Farm, Strathmartine, Dundee for a licence to operate a temporary workers caravan site at Myreton of Claverhouse Farm, Strathmartine, Dundee.

The Report indicated that the site had been inspected with a view to determine its compliance with the Model Standards for holiday caravan sites and a significant number of contraventions had been found. These contraventions had been intimated to the applicant by letter.

After hearing from Mr Ball, Senior Service Manager, Economic Development and Environmental and Consumer Protection, the Committee agreed:-

- (i) to grant a temporary workers caravan site licence to Mrs Helen Christie, Myreton of Claverhouse Farm, Strathmartine, Dundee for a site located at Myreton of Claverhouse Farm, Strathmartine, Dundee for up to twenty-five static caravans. The site licence to expire on 31 January 2015;
- (ii) to request that the applicant give an undertaking that the site would be improved to meet the Model Standards relating to holiday/seasonal caravan sites within six weeks;
- (iii) to note that the site would operate from 1 January to 30 November each year;
- (iv) not to enforce Condition 18 of the Model Standards for holiday caravan sites as applied to temporary worker caravan sites at this present time; and
- (v) that an updated Report be submitted to the Committee on 17 August regarding the progress of the works.

## 8. CROFTS FARM, CARMYLLIE

There was submitted [Report No 395/10](#) by the Director of Infrastructure Services regarding an application received from MacDonald Contractors Ltd, Croft Farm, Carmyllie by Arbroath for a licence to operate a temporary workers caravan site at land 232metres east of Crofts Cottage, Carmyllie.

The Committee agreed:-

- (i) to grant a temporary workers caravan site licence to MacDonald Contractors Ltd, Crofts Farm, Carmyllie, by Arbroath for a site located at Crofts Farm, Carmyllie, by Arbroath for up to twelve static caravans, on condition that the site would be configured in accordance with the plans submitted to Environmental and Consumer Protection. The site licence to expire on 30 October 2014;
- (ii) to note that the site would operate from 15 June to 15 October each year; and

- (iii) not to enforce Condition 18 of the Model Standards for holiday caravan sites as applied to temporary worker caravan sites at this present time.

## 9. EXCLUSION OF PUBLIC AND PRESS

The Committee resolved, in terms of Standing Order 27(2) that the public and press be excluded from the meeting during consideration of the following items, so as to avoid the possible disclosure of information that was exempt in terms of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1972, paragraphs 3 and 6.

## 10. NEW APPLICATIONS

There was submitted [Report No 396/10](#) by the Director of Corporate Services regarding applications received for new licences under the Civic Government (Scotland) Act 1982 which were required to be determined by the Committee, as detailed in the appendix to the Report.

### **Skin Piercing or Tattooing Licence (SP1)**

The Committee considered a letter of objection received from Tayside Police dated 11 May 2010 in relation to an application for a Skin Piercing or Tattooing Licence (SP1) received on 21 April 2010.

The applicant was present and addressed the Committee.

Chief Inspector Thornton then addressed the Committee on the terms of the objection letter from Tayside Police and the applicant thereafter summed up.

The Committee agreed that the application be granted for six months only, subject to the standard conditions.

### **Taxi Driver's Licence (TD7)**

The Committee considered an application for a Taxi Driver's Licence (TD7) received on 22 March 2010 and noted that a letter of representation from Tayside Police dated 14 April 2010 had been received outwith the statutory 21 day period.

Chief Inspector Thornton advised the Committee that an email dated 24 March 2010 had been submitted to the Licensing Section regarding the applicant and she therefore considered that the letter from Tayside Police dated 14 April 2010 was merely a follow-up letter.

The Committee then went into private to take legal advice and consider matters. The Committee then resumed and the applicant advised that, having taken legal advice from the clerk, the letter dated 14 April 2010 from Tayside Police be circulated to the Committee.

The Committee agreed that the application be granted, subject to the standard conditions.

### **Taxi Driver's Licence (TD5)**

With reference to Article 9(c) of the minute of meeting of this Committee of 13 April 2010, the Committee considered a letter dated 12 May 2010 from the applicant's doctor.

The Committee agreed that the application be granted, subject to the standard conditions.

## 11. RENEWAL APPLICATIONS

There was submitted [Report No 397/10](#) by the Director of Corporate Services on applications received for the renewal of licences under the Civic Government (Scotland) Act 1982 and other miscellaneous Acts, which were required to be determined by the Committee, as detailed in the Appendix to the Report.

**Skin Piercing or Tattooing Licence (SP2)**

The Committee considered a letter of representation received from Tayside Police dated 13 April 2010, in relation to an application for a Skin Piercing or Tattooing Licence (SP2) received on 31 March 2010.

The applicant was not present.

The Committee agreed that the application be renewed, subject to the standard conditions.