

ANGUS COUNCIL

MINUTE of MEETING of the **CIVIC LICENSING COMMITTEE** held in the Town and County Hall, Forfar on Thursday 10 August 2017 at 10.15am.

Present: Councillors CRAIG FOTHERINGHAM, RICHARD MOORE, COLIN BROWN, BRENDA DURNO, DAVID FAIRWEATHER, ALEX KING, GAVIN NICOL and BETH WHITESIDE.

Councillor FOTHERINGHAM, Convener, in the Chair.

1. APOLOGIES

Apologies for absence were intimated on behalf of Councillors Brian Boyd and David Lumgair.

2. DECLARATIONS OF INTEREST

Councillor King declared an interest in item 10 as he was Treasurer of Abbey Theatre Club. He advised that he would not participate in any discussion and voting.

Councillor Fairweather declared an interest in item 10 as he had received a letter from Arbroath Community Council. He indicated that he did not respond to the letter. He advised that he would participate in any discussion and voting.

Councillor Fotheringham declared an interest in item 10 as he had received a letter from a Community Council. He advised that he would participate in any discussion and voting.

3. MINUTES OF PREVIOUS MEETINGS

The minutes of meetings of this Committee of 1 June 2017 and 18 July 2017 were approved as correct records and signed by the Convener.

4. DELEGATED APPROVALS

There was submitted Report No 237/17 by the Head of Legal and Democratic 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 Legal and Democratic Services 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 16 May to 5 July 2017.

5. RED LION CARAVAN PARK, ARBROATH

There was submitted Report No 238/17 by the Head of Housing, Regulatory and Protective Services regarding an application to extend the existing caravan site at Red Lion Caravan Park, Arbroath and increase the number of holiday caravans on site from 289 to 316.

The Committee agreed that the caravan site licence be amended in order to allow a maximum number of 316 caravans on site.

6. WOODLANDS CARAVAN PARK, CARNOUSTIE

There was submitted Report No 239/17 by the Head of Housing, Regulatory and Protective Services regarding an application to add a static caravan to the existing caravan site licence at Woodlands Caravan Park, Carnoustie for sole use by the site manager/warden whilst the site was open for business.

The Committee agreed that the caravan site licence be amended in order to allow one static caravan to be added to the site licence.

*** 7. LICENSING OF RESIDENTIAL CARAVAN SITES**

There was submitted Report No 240/17 by the Head of Legal and Democratic Services inviting members to delegate authority to the Head of Legal and Democratic Services to determine when to require criminal conviction certificates in respect of applications for Caravan Site Licences for residential occupation or for the transfer or renewal of such licences.

The Committee agreed to recommend to the Council to delegate authority to the Head of Legal and Democratic Services to require an applicant, or any person involved with the day to day management of a site, to provide the Council with a criminal convictions certificate in connection with applications for Caravan Site Licences for residential occupation or for the transfer or renewal of such licences.

*** 8. PUBLIC ENTERTAINMENT LICENCES – MAJOR SPORTING EVENTS**

With reference to Article 6 of the minute of meeting of this Committee of 23 February 2017, there was submitted Report No 241/17 by the Head of Legal and Democratic Services advising members of the outcome of the statutory consultation in respect of Public Entertainment Licences – Major Sporting Events.

The Committee agreed:-

- (i) to note that, in accordance with the decision of this Committee at its meeting on 23 February 2017 and the provisions of Section 9 of the Civic Government (Scotland) Act 1982, a notice was published in a newspaper circulating in the locality of the area of the proposed resolution of the Council to remove the requirement that required a Public Entertainment Licence for the use of premises for a major sporting event, but only in respect of a major sporting event taking place in a sports ground as defined;
- (ii) to note that the notice advised that representations about the resolution may be made in writing to the authority within 28 days of the first publication of the notice;
- (iii) to note that no representations were received; and
- (iv) to recommend to the Council that it adopted the resolution contained in Appendix 1 to the Report and with effect from the day after the resolution was made.

9. REVIEW OF LICENSING

There was submitted Report No 242/17 by the Head of Legal and Democratic Services advising members of the extent and nature of the licences administered by the Council and to review the resolutions of the Council to require licences for certain activities in terms of the Civic Government (Scotland) Act 1982.

The Report indicated that Angus Council, as a local authority for the Local Government Area of Angus, was responsible for licensing a significant number of activities under a significant number of statutory enactments.

The Committee agreed:-

- (i) to note the activities that the Council were required to licence under various enactments and as set out in Appendix 1 to the Report;
- (ii) to note the activities that the Council were required to licence under the Civic Government (Scotland) Act 1982 and as set out in Appendix 2 to the Report;
- (iii) to note the activities which the Council had discretion to require a licence under the Civic Government (Scotland) Act 1982 and as set out in Appendix 3 to the Report; and
- (iv) not to commence the statutory process of reviewing its resolutions in respect of those activities which the Council had discretion to require a licence.

10. PUBLIC ENTERTAINMENT LICENCES – FEES

With reference to Article 10 of the minute of meeting of this Committee of 1 June 2017, there was submitted Report No 243/17 by the Head of Legal and Democratic Services inviting members to consider what action, if any, required to be taken in respect of fees charged for Public Entertainment Licences obtained by Community Councils.

Having heard from Councillor Moore and the Convener, the Committee agreed:-

- (i) to permit Community Councils to benefit from the discount applied to organisations with charitable status, with immediate effect;
- (ii) that the discount be applied to three year licences effective from 1 April 2018; and
- (iii) that the cost of a 3 year licence be increased from 175% of a 1 year licence to 200% of a 1 year licence effective from 1 April 2018.

11. INSPECTION OF TAXI AND PRIVATE HIRE CARS

With reference to Article 7 of the minute of meeting of this Committee of 23 February 2017, there was submitted Report No 244/17 by the Head of Legal and Democratic Services providing details in relation to the inspection of taxis and private hire cars in the Angus area.

The Committee agreed:-

- (i) to note the progress made in consulting with local MOT garages about the possibility of vehicle inspections being carried out within Angus;
- (ii) to note that representations had been received in respect of the vehicle engine classification contained in the current Angus Vehicle Inspection Checklist; and
- (iii) that with immediate effect, to remove the vehicle engine classification restriction from the current Angus Vehicle Inspection Checklist.

12. EXCLUSION OF PUBLIC AND PRESS

The Committee resolved, in terms of Standing Order 28(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 which was exempt in terms of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973, paragraphs 3 and 6.

13. RENEWAL APPLICATION

There was submitted Report No 245/17 by the Head of Legal and Democratic Services regarding an application received for a renewal under the Civic Government (Scotland) Act 1982 which required to be determined by the Committee, as detailed in the Appendix to the Report.

The Committee considered a letter of representation received from Police Scotland dated 30 June 2017 in relation to an application for renewal of a taxi driver's licence received on 31 May 2017.

The applicant was present.

The Committee having noted that the applicant had a pending case, agreed that the application be deferred until the final outcome of any charges was known.

14. CURRENT LICENCE – REPRESENTATION

There was submitted Report No 246/17 by the Head of Legal and Democratic Services regarding a representation received in relation to a current licence holder under the Civic Government (Scotland) Act 1982 which required to be determined by the Committee, as detailed in the Appendix to the Report.

The Committee considered a letter of representation received from Police Scotland dated 5 June 2017 in relation to a current licence holder under the Civic Government (Scotland) Act 1982.

The applicant was present.

The Committee having noted that the applicant had a pending case, agreed that the application be deferred until the final outcome of any charges was known.