

## **ANGUS COUNCIL**

MINUTE of MEETING of the **CIVIC LICENSING COMMITTEE** held in the Town and County Hall, Forfar on Thursday 5 January 2017 at 10.50am.

**Present:** Councillors ALEX KING, CRAIG FOTHERINGHAM, BRIAN BOYD, LYNNE DEVINE, DAVID FAIRWEATHER, IAIN GAUL, DAVID LUMGAIR and PAUL VALENTINE.

Councillor KING, Convener, in the Chair.

**1. APOLOGIES**

An apology for absence was intimated on behalf of Councillor Houston.

**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 3 November 2016 was approved as a correct record and signed by the Convener.

**4. DELEGATED APPROVALS**

There was submitted Report No 1/17 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 12 October 2016 to 30 November 2016.

**5. TAXI FARES REVIEW**

With reference to Article 6 of the minute of meeting of this Committee of 7 January 2016, there was submitted Report No 2/17 by the Head of Legal and Democratic Services regarding the proposed review of the taxi fare structure for Angus as required by Section 17 of the Civic Government (Scotland) Act 1982.

The Committee agreed to commence the process of reviewing the taxi fares fixed for the Angus local authority area as required by Section 17 of the Civic Government (Scotland) Act 1982 and that all taxi operators licensed in Angus be written to and asked for their proposals for any changes with operators being given one calendar month to respond.

**6. REVIEW OF FEES STRUCTURE**

With reference to Article 5 of the minute of meeting of Angus Council of 18 February 2016, and Article 8 of the minute of meeting of this Committee of 25 February 2016, there was submitted Report No 3/17 by the Head of Legal and Democratic Services which recommended an increase in the fees charged in respect of the applications for licences issued under the Civic Government (Scotland) Act 1982 and other miscellaneous statutes.

Following a detailed review, a general percentage rise of approximately 2.5% had been identified as being required for the forthcoming financial year. The new proposed fee structure was appended to the Report, which also detailed, for comparison purposes, the current fee structure.

There was circulated a further Appendix II which detailed in full the 2.5% increases in respect of Public Entertainment licences.

The Committee agreed:-

- (i) to approve the fee increases detailed in Appendix I to the Report effective from 1 April 2017 and to delete from the Appendix the fee increases in respect of Public Entertainment licences; and
- (ii) to approve the fee increases set out in Appendix II to the Report as circulated, in respect of Public Entertainment licences, effective from 1 April 2017.

## **7. 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 item, 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.

## **8. NEW APPLICATION**

There was submitted Report No 10/17 by the Head of Legal and Democratic Services regarding an application received for a new licence under the Civic Government (Scotland) Act 1982 which required to be determined by the Committee, as detailed in the Appendix to the Report.

### **(a) Late Hours Catering Licence (LHC 22)**

With reference to Article 6(a) of the minute of meeting of this Committee of 26 September 2013, the Committee considered an application for a Late Hours Catering Licence (LHC22) received on 28 September 2016 from Mark Webster for premises at McDonald's Restaurants, Westway Retail Park, Dundee Road, Arbroath for the hours Monday to Sunday 11.00 pm to 5.00 am for both the restaurant and drive-thru. This would allow both the restaurant and drive-thru to operate 24 hours per day, seven days per week, which did not comply with adopted policy.

The applicant and his agent were present who then addressed the Committee, during which the applicant indicated that the premises had been operating without any incidents and if the new hours were granted would continue to operate without a problem.

The Committee noted that the premises were situated on the outskirts of the town and were not in close proximity to any residential properties. It was also noted that a change in circumstances had taken place since the last application.

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