

ANGUS COUNCIL

MINUTE of MEETING of the **CIVIC LICENSING COMMITTEE** held in the Town and County Hall, Forfar on Thursday 8 January 2015 at 10.15 am.

Present: Councillors ALEX KING, CRAIG FOTHERINGHAM, LYNNE DEVINE, DAVID FAIRWEATHER, SHEILA HANDS, JIM HOUSTON, DAVID LUMGAIR, BOB SPINK and PAUL VALENTINE.

Councillor KING, Convener, in the Chair.

1. APOLOGY FOR ABSENCE

An apology for absence was intimated on behalf of Councillor Brian Boyd.

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 held on 6 November 2014 was approved as a correct record and signed by the Convener.

4. DELEGATED APPROVALS

There was submitted Report No 1/15 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 18 October to 9 December 2014.

5. APPLICATION TO LICENCE A HOUSE IN MULTIPLE OCCUPATION

There was submitted Report No 2/15 by the Head of Legal and Democratic Services on a new application to licence a house in multiple occupation under the Housing (Scotland) Act 2006 by A J Stirling in respect of property at Murray Lodge Hotel, Murray Street, Montrose which required to be determined by the Committee.

The Committee also considered representations received from the Planning Enforcement Officer, Scottish Fire and Rescue Service and the Building Standards Manager.

After hearing from Mr Millar, Senior Building Standards Officer, the Committee agreed to delegate authority to the Head of Legal and Democratic Services to determine the application, following a further inspection of the premises by the Council's Building Standards Service and the Scottish Fire and Rescue Service and having regard to the terms of their reports on the suitability of the property to be granted a licence as a house in multiple occupation.

6. 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 which was exempt in terms of Part 1 of Schedule 7A to the Local Government (Scotland) Act 1973, Paragraphs 3 and 6.

7. NEW APPLICATION

There was submitted Report No 3/15 by the Head of Legal and Democratic Services on 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) Private Hire Car Driver's Licence (PHCD29)

The Committee considered a letter of objection received from Police Scotland dated 26 November 2014 in relation to an application for a Private Hire Car Driver's Licence (PHCD29) received on 10 November 2014.

The applicant was present and addressed the Committee.

Sergeant Bethway, Police Scotland, then addressed the Committee on the contents of the letter from Police Scotland dated 26 November 2014.

The applicant then summed up.

The Committee agreed that the application be granted, subject to the Standard Conditions.

8. RENEWAL APPLICATION

There was submitted Report No 4/15 by the Head of Legal and Democratic Services regarding an application received for the renewal of a licence under the Civic Government (Scotland) Act 1982 and other miscellaneous Acts, which was required to be determined by the Committee, as detailed in the Appendix to the Report.

(a) Private Hire Car Driver's Licence (PHCD30)

The Committee considered a letter of representation received from Police Scotland dated 27 November 2014 in relation to an application for a Taxi Driver's Licence (PHCD30) received on 18 November 2014.

The Clerk advised that a further letter of representation had been received from Police Scotland dated 16 December 2014. This letter had been received outwith the statutory 21 day period.

Sergeant Bethway advised the Committee that the incident in question took place after the 21 day period for representations.

The Committee agreed that it was satisfied there was sufficient reason for the lateness of the letter and accordingly it was then circulated to the Committee.

The applicant was present and addressed the Committee.

Sergeant Bethway then addressed the Committee and spoke on the contents of the letters from Police Scotland dated 27 November 2014 and 16 December 2014.

The applicant then summed up.

The Committee agreed that the application be renewed, subject to the Standard Conditions but that the applicant be given a warning of the possible consequences of any future adverse reports.