

ANGUS COUNCIL

MINUTE of MEETING of the **CIVIC LICENSING COMMITTEE** held in the Town and County Hall, Forfar on Thursday 14 May 2015 at 12 noon.

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

Councillor KING, Convener, in the Chair.

1. APOLOGY FOR ABSENCE

An apology for absence was intimated on behalf of Councillor Paul Valentine.

2. DECLARATIONS OF INTEREST

Councillor Fotheringham declared an interest in item 6 as he had been contacted by members of the trade but had given no advice. He advised that he would participate in any discussion and voting.

Councillor Fairweather declared an interest in item 6 as he had been contacted by members of the trade but had given no advice, and item 10 as he had been contacted by an applicant. On both occasions he had passed the details to the relevant officer. He advised that he would participate in any discussion and voting on both these items.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee held on 2 April 2015 was approved as a correct record and signed by the Convener.

4. DELEGATED APPROVALS

There was submitted Report No 189/15 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 14 March to 27 April 2015.

5. APPLICATION TO PLACE ADVERTISEMENT ON A PRIVATE HIRE VEHICLE

There was submitted Report No 190/15 by the Head of Legal and Democratic Services, regarding an application to place an advertisement on private hire vehicle Number PH226, received on 25 March 2015 from Allan Forsyth, the details of which were contained in Appendix 1 to the Report.

The Committee agreed:-

- (i) to grant permission to place an advertisement on private hire vehicle number PH226; and
- (ii) that the relevant officers review the current guidelines regarding advertising on taxis and that a Report be submitted to a future Civic Licensing Committee meeting.

6. INSPECTION OF TAXIS AND PRIVATE HIRE CARS

With reference to Article 8 of the minute of meeting of this Committee of 9 January 2014, there was submitted Report No 191/15 by the Head of Legal and Democratic Services advising members of further developments regarding the testing of taxis and private hire vehicles in Angus.

The Committee agreed to hear Mr Neil Gibson, Chairman of Angus Taxi Association, who wished to address the Committee regarding the testing of taxis and private hire vehicles in Angus.

Mr Gibson addressed the Committee and advised them that many drivers had expressed their dissatisfaction with having to travel to Dundee for their annual taxi test and the trade had felt that the use of suitably qualified and resourced local garages could equally provide the required annual test. He advised the Committee that the Angus Taxi Association felt that there had been a number of failings during consultations with the trade and that many questions had remained unanswered.

The Committee agreed that in light of Mr Gibson's comments, consideration of the Report be deferred to allow officers to investigate the issues that had been raised and that a Report be brought back to the Civic Licensing Committee meeting on 6 August 2015.

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 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.

8. NEW APPLICATIONS

There was submitted Report No 192/15 by the Head of Legal and Democratic Services on applications received for new licences 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 (PHCD31)

The Committee considered an application for a Private Hire Car Driver's Licence (PHCD31) received on 5 January 2015 and noted that the applicant had not passed a satisfactory medical examination.

The applicant was not present.

The Committee noted that the application required to be determined before its next scheduled meeting and agreed that the application be refused on the grounds that the applicant was not a fit and proper person to hold a licence.

(b) Private Hire Car Driver's Licence (PHCD34)

The Committee considered a letter of objection received from Police Scotland dated 14 April 2015, in relation to an application for a Private Hire Car Driver's Licence (PHCD34) received on 31 March 2015.

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 31 March 2015.

The Committee agreed that the application be granted, subject to the standard conditions but that the applicant be given a warning of the possible consequences of any future adverse reports.

9. RENEWAL APPLICATION

There was submitted Report No 193/15 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) Late Hours Catering Licence (LHC15)

With reference to Article 10 of the minute of meeting of this Committee held on 15 May 2014, the Committee considered an application for the renewal of a Late Hours Catering Licence (LHC15) received on 9 March 2015 in respect of premises at Pie Bobs Bakery, 3-7 Grant Road, Arbroath.

The Committee noted that no letters of objection or representations had been received in respect of this application.

The applicant was present and addressed the Committee.

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

10. CURRENT LICENCE – REPRESENTATIONS/OBJECTIONS

There was submitted Report No 194/15 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.

(a) Window Cleaner's Licence (WC12)

The Committee considered information in relation to a window cleaner's licence (WC12), advising that the licence holder had a current conviction against him, as detailed in the letter from Police Scotland dated 30 March 2015.

The licence holder was present and his agent, Ms Milton, addressed the Committee.

After hearing from Inspector Bethway, the Committee agreed to note the representations regarding the window cleaner's licence but that the applicant be given a warning of the possible consequences of any future adverse reports and attend an equality and diversity training course within three months.