

ANGUS COUNCIL

MINUTE of MEETING of the **CIVIC LICENSING COMMITTEE** held in the Town and County Hall, Forfar on Thursday 25 September 2014 at 10.30 am.

Present: Councillors ALEX KING, CRAIG FOTHERINGHAM, BRIAN BOYD, LYNNE DEVINE, DAVID FAIRWEATHER, SHEILA HANDS, JIM HOUSTON, 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 David Lumgair.

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 7 August 2014 was approved as a correct record and signed by the Convener.

4. DELEGATED APPROVALS

There was submitted [Report No 391/14](#) 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 5 July 2014 to 29 August 2014.

5. EXTENDED HOURS OVER 2014 FESTIVE PERIOD FOR LATE HOURS CATERING PREMISES

There was submitted [Report No 392/14](#) by the Head of Legal and Democratic Services regarding the extension of hours for late hours catering premises over the 2014 festive period.

The Committee agreed to approve an extension of one additional hour at the end of trading on Christmas Eve (Wednesday), Christmas Day (Thursday), Hogmanay (Wednesday) and New Year's Day (Thursday) only for all late hours catering premises in Angus which would permit late hours catering premises to operate on Christmas Eve, Christmas Day, Hogmanay and New Year's Day until 1am.

6. SOUTH LINKS HOLIDAY PARK, MONTROSE

There was submitted [Report No 393/14](#) by the Strategic Director – Communities regarding an application to vary a Caravan Site Licence for South Links Holiday Park, Montrose, to alter the opening period of the site to all year round opening which required to be determined by the Committee.

It was noted that the applicant was not present.

The Committee agreed to defer the application to the meeting of this Committee on 6 November 2014 to allow the applicant to attend.

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. APPLICATION TO LICENCE A HOUSE IN MULTIPLE OCCUPATION

There was submitted [Report No 394/14](#) by the Head of Legal and Democratic Services regarding an application received to licence a house in multiple occupation under the Housing (Scotland) Act 2006 in respect of property at 11 Hill Terrace, Arbroath which required to be determined by the Committee.

It was noted that the applicant was unable to attend the Committee.

The Committee considered a letter of representation which had been received in connection with the application. Mr Ball, Service Manager, Regulatory and Protective Services, addressed the Committee during which he advised them that he had no concerns with the property.

The Committee agreed to grant the application for a new licence in respect of a house in multiple occupation, subject to the standard conditions.

9. NEW APPLICATIONS

There was submitted [Report No 395/14](#) 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) Market Operator's Licence (MOL1)

With reference to Article 7(a) of the minute of meeting of this Committee of 7 August 2014, the Committee considered a memorandum received from the Senior Service Manager (Roads) dated 1 May 2014 in relation to an application for a Market Operator's Licence (MOL1) received on 22 April 2014 in respect of the Applegate, Arbroath.

The applicant was present and addressed the Committee.

The Committee agreed that the application be refused on the grounds that there was insufficient room to set up stalls within this area.

(b) Market Operator's Licence (MOL2)

The Committee considered a memorandum received from the Senior Service Manager (Roads) dated 1 May 2014 in relation to an application for a Market Operator's Licence (MOL2) received on 22 April 2014 in respect of a Continental Market at the Town House car park, High Street, Montrose between 11 December 2014 to 14 December 2014.

The applicant was present and addressed the Committee. Concern was expressed from a local member regarding the Continental Market using the car park at this time of year for four consecutive days.

The Committee agreed to grant the application for a Market Operator's Licence in respect of the Town House car park, High Street, Montrose but for two days only. The precise days to be agreed with the applicant.

(c) Private Hire Car Driver's Licence (PHCD28)

The Committee considered an application for a Private Hire Car Driver's Licence (PHCD28) received on 30 June 2014.

The Committee noted that a letter of objection from Police Scotland dated 21 July 2014 had been received outwith the statutory 21 day period.

Sergeant Bethway advised the Committee that the letter had been posted timeously but unfortunately due to postal delays the letter had not been received by the Head of Legal and Democratic Services until 8 August 2014.

Having noted that there were no objections from the applicant, the Committee agreed that they were satisfied there was sufficient reason for the lateness of the objection and the letter dated 21 July 2014 was then circulated.

The applicant was present and addressed the Committee.

Sergeant Bethway, Police Scotland then addressed the Committee on the terms of the letter dated 21 July 2014.

The applicant was invited to sum up.

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