

ANGUS COUNCIL

MINUTE of MEETING of the **CIVIC LICENSING COMMITTEE** held in the Town and County Hall, Forfar on Thursday 31 March 2016 at 10.40 am.

Present: Councillors ALEX KING, CRAIG FOTHERINGHAM, BRIAN BOYD, LYNNE DEVINE, DAVID FAIRWEATHER, BOB SPINK and PAUL VALENTINE.

Councillor KING, Convener, in the Chair.

1. APOLOGIES

Apologies for absence were intimated on behalf of Councillors Iain Gaul, Jim Houston and David Lumgair.

2. DECLARATIONS OF INTEREST

The Committee agreed to note that no declarations of interest were made.

The Convener ruled, in accordance with the provisions of Standing Order 11(2)(ii), that the following item be considered as an urgent item of business, as it had been noted that a public entertainment licence application had been lodged with Angus Council in connection with Festival of House.

3. PUBLIC ENTERTAINMENT LICENCE - ENCLOSED AREA AT PANMURE ESTATE

With reference to Item 6 of the Angus Licencing Board meeting of 31 March 2016, when it had been noted that a public entertainment licence had been lodged with Angus Council in connection with the Festival of House to be held at Panmure Estate, Carnoustie, the Committee agreed that an unaccompanied site visit take place, and to remit to the Clerk to make the necessary arrangements.

4. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 25 February 2016 was approved as a correct record and signed by the Convener.

5. DELEGATED APPROVALS

There was submitted Report No 132/16 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 25 January to 10 March 2016.

6. AUCHRENNIE/HEUGHHEAD, MUIRDRUM

With reference to Article 9 of the minute of meeting of this Committee of 17 August 2010, there was submitted Report No 133/16 by the Head of Regulatory and Protective Services regarding two applications which have been received from Andrew James Gray to replace the existing caravan site licence with two licences for two distinct areas within the existing site at Auchrennie/Heughhead, Muirdrum, by Carnoustie.

The applications sought permission for a maximum of 40 static caravans at Auchrennie Farm and 45 static caravans at Heugh Head Farm, an increase of 9 static caravans in total and also sought permission to change the operating periods on both sites to 1 January to 30 November each year.

The Committee agreed:-

- (i) to grant a replacement of the caravan site licence held by Andrew James Gray in respect of Auchrennie Farm, Muirdrum, by Carnoustie to increase the number of static pitches by an additional 9 to 85 (40 at Auchrennie and 45 at Heugh Head);
- (ii) to issue two separate licences for the distinct areas within the site; and
- (iii) that the operating period be amended to 1 January to 30 November annually.

7. LAND TO THE WEST OF CRAIGMILL LODGE, STRATHMARTINE, BY DUNDEE

There was submitted Report No 134/16 by the Head of Regulatory and Protective Services regarding an application received from Carol Hosea, Craigmill Lodge, Craigmill Road, Strathmartine, to grant a caravan site licence for 6 holiday static caravans on land to the west of Craigmill Lodge, Strathmartine, by Dundee.

The Committee agreed:-

- (i) to grant a caravan site licence to Carol Anne Hosea, Craigmill Lodge, Craigmill Road, Strathmartine subject to the site's compliance with the "Model Standards" for caravan sites;
- (ii) that the maximum number of caravans to be stationed on site at any one time be 6; and
- (iii) that the operating period be all year round, subject to the conditions of the planning permission.

8. EAST SCRYNE/WEST SCRYNE FARMS, CARNOUSTIE

There was submitted Report No 135/16 by the Head of Regulatory and Protective Services regarding an application received from James Porter, licence holder for the existing temporary workers' caravan site for both East Scryne and West Scryne Farms, to amend the operating period to 1 February to 29 November (currently 1 May to 31 October for both sites).

The Committee agreed that the site operating period be amended to 1 February to 29 November annually for the caravan site licences at East Scryne and West Scryne Farms, Carnoustie.

The Committee agreed, in accordance with Standing Order 37(2), that consideration of Report No 136/16 be taken at the end of the meeting.

9. 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 2 items only, 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.

10. NEW APPLICATIONS

There was submitted Report No 137/16 by the Head of Legal and Democratic Services regarding 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 (PHCD38)

The Committee considered a letter of representation received from Police Scotland dated 24 February 2016, in relation to an application for a private hire car driver's licence (PHCD38) received on 22 February 2016.

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 24 February 2016.

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

(b) Taxi Driver's Licence (TD64)

The Committee considered a letter of objection received from Police Scotland dated 28 February 2016, in relation to an application for a taxi driver's licence (TD64) received on 28 January 2016.

The applicant was not present.

The Committee agreed to defer consideration of the application to allow the applicant to attend.

11. RENEWAL APPLICATION

There was submitted Report No 138/16 by the Head of Legal & 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) Window Cleaner's Licence (WC13)

With reference to Article 14(a) of the minute of meeting of this Committee of 6 August 2015, the Committee considered a letter of representation received from Police Scotland dated 17 March 2016 in relation to an application for the renewal of a window cleaner's licence (WC13) received on 16 December 2015.

The applicant was present and addressed the Committee on the contents of the letter from Police Scotland dated 17 March 2016.

Sergeant Bethway, Police Scotland, then addressed the Committee and the applicant thereafter 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.

12. PERMISSION FOR FILM EXHIBITION

There was submitted Report No 136/16 by the Head of Legal and Democratic Services regarding a request to permit the exhibition of a film entitled "Fear Itself" (2015) as it had not received a certificate from the British Board of Film Classification (BBFC) and to determine what age rating the film should receive.

The Committee agreed to delegate authority to the Head of Legal and Democratic Services to determine whether to permit the exhibition of the film and, if permitted, under what conditions to attach to the permission to exhibit the film.