

# ANGUS COUNCIL

MINUTE of the Special MEETING of the **CIVIC LICENSING COMMITTEE** held in the Town and County Hall, Forfar on Monday 11 June 2018 at 2pm.

**Present:** Councillors CRAIG FOTHERINGHAM, RICHARD MOORE, BRIAN BOYD, COLIN BROWN, BRENDA DURNO, DAVID FAIRWEATHER, ALEX KING, DAVID LUMGAIR, GAVIN NICOL AND BETH WHITESIDE

Councillor FOTHERINGHAM, Convener, in the Chair.

## 1. APOLOGIES

There were no apologies intimated.

## 2. DECLARATIONS OF INTEREST

Councillor Boyd declared an interest in item 3 (Report No 164/18) as in his capacity as a local member, he had been contacted by the press and had given comments on this matter but had not given any advice. He indicated that he would take part in any discussion and voting.

## 3. THE OPEN GOLF CHAMPIONSHIP, CARNOUSTIE – ARRANGEMENTS FOR TAXI STANCES

With reference to Article 7 of the minute of meeting of this Committee of 5 April 2018, there was submitted Report No 164/18 by the Service Leader Legal and Democratic seeking approval for the arrangements for temporary traffic stances for the duration of the Open Golf Championship in Carnoustie in July 2018.

The Committee noted that the proposed arrangements were advertised as detailed in the report and meetings were arranged with the taxi and private hire trade on 15 March and 17 April 2018 (unfortunately, no drivers or operators attended from the Carnoustie and Arbroath zone).

The members noted that following representations received, as detailed in Appendix 2 to the Report, a new proposal had been developed utilising the former Kinloch School site and the temporary stance would be managed by marshals, who would perform the functions as detailed in Appendix 1 to the Report. A plan of the proposed arrangements was detailed in Appendix 3 to the Report.

The Committee agreed:-

- (i) to note the consultation process undertaken in respect of proposed arrangements for temporary traffic stances for the duration of the Open Golf Championship in Carnoustie in July 2018;
- (ii) to note the objections/representations received;
- (iii) to approve the new arrangements set out in the Report involving the use of the former Kinloch School site; and
- (iv) to delegate authority to the Service Leader – Legal and Democratic;
  - (a) to consult with persons or organisations appearing to them to be, or to be representative of, the operators of taxis operating in the area;
  - (b) having regard to the outcome of that consultation exercise, to give notice to the Chief Constable and public notice of the proposal by advertisement; and
  - (c) to determine, in consultation with the Convener and Vice Convener of this Committee whether to approve the arrangements for temporary traffic stances for the duration of the Open Golf Championship in Carnoustie between 13 and 23 July 2018 (inclusive).

#### **4. THE OPEN GOLF CHAMPIONSHIP, CARNOUSTIE – TAXI ARRANGEMENTS**

There was submitted Report No 195/18 by the Service Leader - Legal and Democratic seeking approval for the arrangements for taxis for the duration of the Open Golf Championship in Carnoustie in July 2018.

The Committee agreed:-

- (i) that all taxis licensed to operate in the Carnoustie and Arbroath zone be permitted to operate in Carnoustie for the duration of The Open;
- (ii) that expressions of interest be invited from all taxi operators in Angus outwith the Carnoustie/Arbroath zone in operating in Carnoustie for the duration of the Open;
- (iii) that 50 vehicles from outwith the Carnoustie/Arbroath zone be permitted to operate in Carnoustie for the duration of The Open;
- (iv) that in the event that the number of expressions of interest exceeds 50, the vehicles permitted to operate would be selected at random;
- (v) that a fee of £40 is charged to those selected at (iv) above to cover administration costs and the deployment of marshals; and
- (vi) to delegate authority to the Service Leader – Legal and Democratic to determine, in consultation with the Convener and Vice Convener of this Committee and the Local members to approve the final arrangements for taxis for the duration of the Open Golf Championship in Carnoustie between 13 and 23 July 2018 (inclusive).

#### **5. 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 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.

#### **6. CURRENT LICENCE HOLDER - REPRESENTATION**

There was submitted Report No 196/18 by the Service Leader - Legal and Democratic regarding information 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) Second Hand Dealers Licence (SHD12)**

The Committee considered information in relation to a Second Hand Dealers licence (SHD12) advising that the licence holder had a pending case against him as detailed in the letter from Police Scotland dated 10 May 2018.

The licence holder was present and addressed the Committee.

Constable Reid, Police Scotland, then addressed the Committee on the contents of the letter from Police Scotland dated 10 May 2018.

The Committee noted that the case was pending and agreed to note the representation regarding the Second Hand Dealers licence and advised the licence holder that the information may be reconsidered by the Committee should any further information be received.

*The Convener ruled, in accordance with the provisions of Standing Order 11(2) (ii), that the following item Report No 208/18 be considered as an urgent item of business, as a letter of representation had been received from Police Scotland in connection with a current licence holder.*

## **7. CURRENT LICENCE HOLDER – IMMEDIATE SUSPENSION**

There was submitted Report No 208/18 by the Service Leader - Legal and Democratic regarding representations received in connection with a current licence holder under the Civic Government (Scotland) Act 1982 which required to be considered by the Committee, as detailed in the Appendix to the Report.

### **(a) Taxi Drivers Licence (TD83)**

The Committee considered information in relation to a Taxi Drivers Licence (TD83), advising that the licence holder had a pending case against him as detailed in the letter from Police Scotland dated 8 June 2018.

A representative, on behalf of the current licence holder, addressed the Committee.

Constable Reid, Police Scotland, then addressed the Committee on the contents of the letter from Police Scotland dated 8 June 2018.

The Committee noted that the case was pending and agreed to note the representation regarding the taxi drivers licence and advised the licence holder that the information may be reconsidered by the Committee should any further information be received.