

ANGUS COUNCIL

MINUTE of MEETING of the **CIVIC LICENSING COMMITTEE** held in the Town and County Hall, Forfar on Thursday 1 November 2018 at 11.31am.

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

Councillor FOTHERINGHAM, Convener, in the Chair.

1. APOLOGIES

An apology for absence was intimated on behalf of Councillor David Fairweather.

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 of 13 September 2018 was approved as a correct record and signed by the Convener.

4. DELEGATED APPROVALS

There was submitted Report No 336/18 by the Service Leader - Legal and Democratic detailing applications for licences under the Civic Government (Scotland) Act 1982 and other miscellaneous Acts which had been granted/renewed by the Service Leader – Legal and Democratic 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 21 August 2018 to 11 October 2018.

5. APPLICATION TO LICENCE A HOUSE IN MULTIPLE OCCUPATION

There was submitted Report No 337/18 by the Service Leader – Legal and Democratic regarding applications to licence a House in Multiple Occupation under the Housing (Scotland) Act 2006, by Tayside Forestry Ltd, in respect of two properties at Templeton Christmas Tree Farm, Strathmartine, Dundee (Dalvattan Cottage and Minard Cottage) which required to be determined by the Committee.

The applicant was present and addressed the Committee.

The Committee then heard from Mr Miller, Senior Building Standards Officer and discussion took place regarding the issues with the heating system.

The Committee noted that the applications required to be determined before its next scheduled meeting and agreed that both applications be granted.

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 item, 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 338/18 by the Service Leader - Legal and Democratic regarding 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) Taxi Driver's Licence (TD88)

The Committee noted that a letter had been received from Police Scotland dated 17 September 2018, referring to spent convictions, in relation to an application for a taxi driver's licence (TD88) received on 7 September 2018.

The Convener asked the representative from Police Scotland to give outline details of the spent conviction.

PC Forsyth, Police Scotland then gave a brief outline of the date and nature of the offence.

The Committee determined, in all the circumstances that justice could not be done without admitting the details of the spent conviction. The letter dated 17 September 2018 from Police Scotland was therefore circulated to members of the Committee.

The applicant was present and addressed the Committee.

PC Forsyth, Police Scotland then addressed the Committee on the contents of the letter from Police Scotland and advised them of the details of the offence.

The applicant was then given the opportunity to sum up.

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