

ANGUS COUNCIL

MINUTE of MEETING of the **CIVIC LICENSING COMMITTEE** held in the Town and County Hall, Forfar on Thursday 14 February 2019 at 10.33am.

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

Councillor FOTHERINGHAM, Convener, in the Chair.

1. APOLOGIES

Apologies for absence were intimated on behalf of Councillors David Fairweather and Beth Whiteside.

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 10 January 2019 was approved as correct record and signed by the Convener.

4. DELEGATED APPROVALS

There was submitted Report No 44/19 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 7 December 2018 to 21 January 2019.

5. 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.

6. NEW APPLICATIONS

There was submitted Report No 45/19 by the Service Leader - Legal and Democratic 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 (PHCD49)

The Committee considered a letter of objection received from Police Scotland dated 13 December 2018, in relation to an application for a Taxi Driver's licence (PHCD49) received on 19 November 2018.

The applicant was present.

PC Forbes, Police Scotland, then addressed the Committee on the contents of the letter from Police Scotland dated 13 December 2018.

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.

(b) Public Entertainment licence (PEL 9)

The Committee considered comments received from the Regulatory and Protective Service – Environmental Health dated 4 December 2018 in relation to an application received on 20 November 2018 from Sarah Humphries for a public entertainment licence for premises at Dynamix Health and Fitness Ltd, Unit 4, 35 Eastmill Road, Brechin, to provide health and fitness activities Monday to Sunday from 05.30hrs to 22.30hrs.

Ms Humphries was present and addressed the Committee thereafter, Mr Easson, Service Leader – Environmental and Consumer Protection advised members that he was happy for this licence to be granted subject to additional conditions and the premises being monitored for a period of 6 months.

The Committee agreed that the application be granted for a period of 6 months only subject to:-

- (i) all gym activities being carried out internally within the premises with no external activities allowed between the hours of 05.30 and 07.00;
- (ii) waiving conditions 11 and 12 of the Public Entertainment licences;
- (iii) on condition that Environmental and Consumer Protection division monitor the situation and report back on their findings within 6 months; and
- (iv) the clerk receiving a copy of the public liability insurance documents.

(c) Private Hire Car Driver's Licence (PHCD50)

The Committee considered a letter of representation received from Police Scotland dated 7 January 2019, in relation to an application for a Private Hire Car Driver's licence (PHCD50) received on 10 December 2018.

The applicant was present and addressed the Committee during which he confirmed that he had not obtained his medical certificate.

The Committee agreed that the application be deferred to allow the applicant to submit a satisfactory medical certificate.

7. NEW APPLICATION IN TERMS OF THE DANGEROUS WILD ANIMALS ACT 1976

There was submitted Report No 50/19 by the Service Leader - Legal and Democratic regarding an application received for a new licence under the Dangerous Wild Animals Act 1976 which required to be determined by the Committee, as detailed in the Appendix to the Report.

The Committee noted that the application had been withdrawn by the applicant.