

ANGUS COUNCIL

MINUTE of MEETING of the **CIVIC LICENSING COMMITTEE** held in the Town and County Hall, Forfar on Thursday 4 April 2019 at 10.37am.

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

Councillor FOTHERINGHAM, Convener, in the Chair.

1. APOLOGIES

Apologies for absence were intimated on behalf of Councillors Brian Boyd and 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 14 February 2019 was approved as a correct record and signed by the Convener.

4. DELEGATED APPROVALS

There was submitted Report No 95/19 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 22 January to 12 March 2019.

5. TAXI FARES REVIEW

With reference to Article 6 of the minute of meeting of this Committee of 17 May 2018, there was submitted Report No 96/19 by the Service Leader - Legal and Democratic, regarding the proposed review of the taxi fare structure for Angus as required by section 17 of the Civic Government (Scotland) Act 1982.

The Committee agreed to commence the process of reviewing the taxi fares fixed for the Angus local authority area as required by section 17 of the Civic Government (Scotland) Act 1982 and that all taxi operators licenced in Angus be written to and asked for their proposals for any changes with operators being given one calendar month to respond.

6. CARAVAN SITE LICENCE – EAST MUIRHEAD OF LOGIE FARM, KIRRIEMUIR

There was submitted Report No 97/19 by the Head of Communities regarding an application received from Graham Galloway, 62 Glamis Road, Kirriemuir for a Caravan Site Licence on land located at East Muirhead of Logie Farm, by Kirriemuir as set out in Appendix 1 to the Report.

The Report advised that the land which the application related to would be used between the dates specified to allow the owners of caravans attending the Bonfest Music Festival to site their caravans. Once the Festival had ended the land would be returned to its previous use.

The Committee agreed:-

- (i) to grant a caravan site licence to Graham Galloway, 62 Glamis Road, Kirriemuir, for a site located at East Muirhead of Logie Farm, by Kirriemuir, as detailed in the Appendix to the Report, 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 70; and
- (iii) that the operating period for the site be limited to 4 consecutive days between 3 May 2019 and 6 May 2019 to accommodate the Bonfest Music Festival.

7. CARAVAN SITE LICENCE – PEEL FARM, LINRATHEN, BY KIRRIEMUIR

There was submitted Report No 98/19 by the Head of Communities regarding an application received from Claire Fleming, Peel Farm, Lintrathen, By Kirriemuir for a Caravan Site Licence on land located at Peel Farm, Lintrathen, By Kirriemuir in order to allow the use of the land for the purposes of siting 4 glamping pods as set out in Appendix 1 to the Report.

The Committee agreed:-

- (i) to grant a caravan site licence to Claire Fleming, Peel Farm, Lintrathen, by Kirriemuir subject to the site's compliance with the "Model Standards" for caravan sites;
- (ii) that the maximum number of glamping pods to be stationed on site at any one time be 4; and
- (iii) that the operating period for the site be all year round.

8. 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.

9. NEW APPLICATIONS

There was submitted Report No 99/19 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 (PHCD50)

With reference to Article 6 (c) of the minute of meeting of this Committee of 14 February 2019, 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 obtained his medical certificate.

Constable Forbes addressed the Committee on the contents of the letter from Police Scotland dated 10 December 2018.

The Committee agreed that the application be granted but that the applicant be given a warning of the possible consequences of any future adverse reports.

(a) Taxi Driver's Licence (TD90)

The Committee considered a letter of objection received from Police Scotland dated 21 February 2019, in relation to an application for a Taxi Driver's licence (TD90) received on 4 February 2019.

The applicant was present and addressed the Committee.

Constable Forbes then addressed the Committee on the contents of the letter from Police Scotland dated 21 February 2019.

The Committee agreed that the application be granted with a warning.

10. RENEWAL APPLICATIONS

There was submitted Report No 100/19 by the Service Leader - Legal and Democratic regarding applications received for the renewal of licences under the Civic Government (Scotland) Act 1982 and other miscellaneous Acts which were required to be determined by the Committee, as detailed in the Appendix to the Report.

(a) Taxi Driver's Licence (TD91)

The Committee considered a letter of objection received from Police Scotland dated 22 January 2019 in relation to an application for the renewal of a taxi driver's licence received on 28 December 2018.

The applicant was present and addressed the Committee.

Constable Forbes then addressed the Committee on the contents of the letter from Police Scotland dated 28 December 2019 and it was noted that the case was pending.

The Committee agreed that the application be renewed and advised the licence holder that the information may be reconsidered by the Committee should any further information be received.

(b) Second Hand Dealer's Licence (SHD13)

The Committee considered an objection received from Trading Standards Service dated 8 March 2019 in relation to an application for the renewal of a Second Hand Dealer's Licence (SHD13) received on 17 January 2019.

There was also submitted a letter from the applicant dated 8 August 2018. The applicant was present and addressed the Committee.

The Committee then heard from Mr Easson, Service Leader, Environmental and Consumer Protection, who advised that Trading Standards had the powers to take enforcement action against the applicant to decommission the tanks and to make the site safe.

Members then asked various questions of Mr Easson and the applicant.

The Committee agreed that the application be deferred to the next meeting of the Civic Licensing Committee on 16 May 2019 to allow the applicant time to make the tanks safe.