

# ANGUS COUNCIL

MINUTE of MEETING of the **CIVIC LICENSING COMMITTEE** held in the Town and County Hall, Forfar on Thursday 8 August 2019 at 10.40am.

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

Councillor FOTHERINGHAM, Convener, in the Chair.

## 1. APOLOGY

An apology for absence was intimated on behalf of Councillor Gavin Nicol.

## 2. DECLARATIONS OF INTEREST

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

## 3. MINUTES OF PREVIOUS MEETINGS

The minutes of meetings of this Committee of 16 May, 3 July and 22 July 2019 were approved as correct records and signed by the Convener.

## 4. DELEGATED APPROVALS

There was submitted Report No 245/19 by the Director 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 Director 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 22 April to 17 July 2019.

## 5. TAXIS AND PRIVATE HIRE LICENCES

There was submitted Report No 257/19 by the Director of Legal and Democratic Services advising members of representations received in respect of the fees charged, and expenses incurred, in relation to taxi and private hire driver and operator licences, work ongoing in respect thereof and plans to progress this matter.

The Committee agreed to note:-

- (i) the legal obligations incumbent upon the Council in relation to fees in respect of taxi and private hire driver and operator licences;
- (ii) the representations received from a local operator;
- (iii) the work ongoing in relation to the current fees charged, the legal obligations on the Council and the expenses the Council incurs in exercising their licensing functions in relation to taxi and private hire operators and drivers; and
- (iv) that a further report on this matter would be submitted to the meeting of this Committee on 12 September 2019.

## 6. TEMPORARY CARAVAN SITE LICENCE – SHANFORD FARM, BY BRECHIN

There was submitted Report No 258/19 by the Director of Communities regarding an application received for a temporary caravan site licence in terms of the Caravan Sites and Control of Development Act 1960 from Ms Wendy Wright, Clifton House, 4A Goldington Road, Bedford, MK40 3NF in respect of land located at Shandford Farm, Fern, by Brechin, DD9 7RS as set out in Appendix 1 to the Report.

The Report advised that the land which the application related to would be used between 12 and 16 September 2019 to allow competitors/spectators/stall holders attending the event to site their caravans.

The Committee agreed:-

- (i) to grant a temporary caravan site licence to Wendy Wright, Clifton House, 4A Goldington Road, Bedford for a site located at Shanford Farm, Fern, By Forfar 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 50; and
- (iii) that the operating period for the site be limited to 5 consecutive days between 12 and 16 September 2019 to accommodate an International Sheepdog Trial event.

## **7. 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.

## **8. NEW APPLICATION – ANIMAL BOARDING ESTABLISHMENT**

There was submitted Report No 246/19 by the Director of Legal and Democratic Services regarding an application received for a new licence under the Animal Boarding Establishments Act 1963 which required to be determined by the Committee, as detailed in the Appendix to the Report.

### **(a) Animal Boarding Licence (AB4)**

The Committee considered comments received from the Environmental and Consumer Protection Service dated 17 July 2019, in relation to an application for an Animal Boarding Establishment (AB4) received on 18 June 2019.

The applicant was not present.

Mr Easson, Service Leader, Environmental and Consumer Protection updated members on the works required.

The Committee agreed that the application be deferred to the meeting of this Committee on 12 September 2019 to allow the necessary improvements to be made.

## **9. NEW APPLICATIONS**

There was submitted Report No 247/19 by the Director 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 (PHCD51)**

The Committee considered a letter of objection received from Police Scotland dated 16 July 2019, in relation to an application for a Private Hire Car Driver's Licence (PHCD51) received on 14 June 2019.

The applicant was present and addressed the Committee.

Constable Reid then addressed the Committee on the contents of the letter from Police Scotland dated 16 July 2019.

The applicant then summed up.

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

**(b) Public Entertainment licence (PEL 10)**

The Committee considered comments received from the Environmental and Consumer Protection Service dated 29 July 2019 in relation to an application received on 5 July 2019 from Dynamix Health and Fitness Ltd for a public entertainment licence for premises at Unit 20, Brechin Industrial Estate, Montrose Road, Brechin to provide gym and martial arts activities for the hours 5.30am to 10.30pm daily.

The applicant was present and addressed the Committee thereafter, Mr Easson, Service Leader – Environmental and Consumer Protection advised members that his officers were satisfied with the premises.

The Committee agreed that both applications be granted subject to the standard conditions but that conditions 11 and 12 of the Public Entertainment licence be waived.

**(c) Second Hand Dealer's Licence (SHD14)**

The Committee considered two letters of objection dated 3 July 2019 in relation to an application for a Second Hand Dealer's Licence (SHD14) received on 6 June 2019.

The applicant was present and addressed the Committee during which he explained the nature of this business.

The Committee then heard from an objector and asked various questions of the applicant during which he agreed to an undertaking of additional conditions.

The Committee agreed to grant the application subject to the standard conditions and the following additional conditions:-

- (a) that no cars be delivered to the premises;
- (b) that no cars shall be displayed for sale on the premises; and
- (c) that no cars be sold from the premises.