

ANGUS COUNCIL

MINUTE of MEETING of the **CIVIC LICENSING COMMITTEE** held in the Town and County Hall, Forfar on Thursday 9 January 2020 at 11.07am.

Present: Councillors CRAIG FOTHERINGHAM, RICHARD MOORE, COLIN BROWN BEM, 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 31 October 2019 was approved as a correct record and signed by the Convener.

4. DELEGATED APPROVALS

There was submitted Report No 6/20 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 7 October 2019 to 4 December 2019.

5. CARAVAN SITE LICENCE – MARDEN BARN, KILRY, BLAIRGOWRIE

There was submitted Report No 7/20 by the Director of Communities regarding an application from Ms Kay Tompkins, Marden Barn, Kilry, Blairgowrie to grant a caravan site licence at Marden Barn, Kilry PH11 8JA to allow use of the land for the purposes of a caravan site for Eco Camping Pods.

The Committee agreed:-

- (i) to grant a caravan site licence to Kay Tompkins, Marden Barn, Kilry, PH11 8JA, subject to the site's compliance with the "Model Standards" for caravan sites;
- (ii) that the maximum number of Eco Camping Pods to be stationed on site at any one time be 2; and
- (iii) that the operating period for the site be all year round.

6. AMENDMENT TO TEMPORARY WORKERS' CARAVAN SITE LICENCE - MAINS OF LOGIE FARM, MONTROSE

There was submitted Report No 8/20 by the Director of Communities regarding an application by Mr Peter Salmon, Mains of Logie Farm, Montrose for an amendment to the existing temporary workers' caravan site licence at Mains of Logie Farm, Montrose. The amendment would increase the maximum number of caravans that could be accommodated on site from 4 to 5. The operating period for the site to remain the same (11 September to 31 July each year)

The Committee agreed that the temporary workers' caravan site licence be amended to allow an additional caravan to be sited, increasing the number to 5 (previously 4).

7. APPLICATION TO TRANSFER A RESIDENTIAL CARAVAN SITE LICENCE – TAYOCK CARAVAN PARK, BRECHIN ROAD, MONTROSE

There was submitted Report No 9/20 by the Director of Legal and Democratic Services regarding an application received for the transfer of a residential caravan site licence from Mr Robert George Wilson to Flynn Parks Limited in respect of Tayock Caravan Park, Brechin Road, Montrose DD10 9LE which was licensed for 27 residential and 36 static holiday caravans.

The Committee agreed to approve the transfer of the residential caravan site licence for Tayock Caravan Park, Brechin Road, Montrose to Flynn Park Ltd in terms of the Caravan Sites and Control of Development Act 1960.

8. CONSULTATION ON LICENSING NO LONGER ACCEPTING CASH AS A METHOD OF PAYMENT

With reference to Article 6 of the minute of meeting of this Committee of 31 October 2019, there was submitted Report No 10/20 by the Director of Legal and Democratic Services asking the Committee to consider commencing a public consultation on phasing out cash as a means of paying for all licensing fees. Graphs illustrating the various statistics were attached as Appendices 1 – 4 to the Report and the proposed consultation paper was noted in Appendix 5 to the Report.

The Committee agreed:-

- (i) to commence a public consultation on phasing out cash as a means of paying for all licensing fees; and
- (ii) to note that a further Report would be submitted to the Civic Licensing Committee meeting on 9 April 2020 advising of the outcome of the consultation.

9. SEXUAL ENTERTAINMENT VENUES

With reference to Article 9 of the minute of meeting of this Committee of 31 October 2019 there was submitted Report No 11/20 by the Director of Legal and Democratic Services which asked the Committee to consider recommending to Angus Council that it pass a resolution in respect of the licensing of sexual entertainment venues in the Angus area in terms of Section 45a of the Civic Government (Scotland) Act 1982.

The Report advised that a total of 7 responses had been received in relation to the consultation and these responses were included in Appendix 2 to the Report. Following comments from members, it was agreed to disregard any responses which had been sent in anonymously.

The Committee agreed:-

- (i) to note and consider the signed responses received in relation to the consultation exercise which was carried out between 6 November 2019 and 16 December 2019;
- (ii) to recommend to Angus Council that it pass a resolution to require sexual entertainment venues to be licensed;
- (iii) to instruct the Director of Legal and Democratic Services to prepare a report to Angus Council recommending that the resolution as contained in Appendix 1 to the Report be passed and that it comes into effect one year after the resolution is made;
- (iv) that in the event that a resolution is passed by the Council, instruct the Director of Legal and Democratic Services to:-
 - (a) consult with groups who may have an interest in this matter including, but not limited to, Police Scotland, Violence against Women Partnerships, Angus Women's Aid, Angus Community Planning Partnership as well as the public in relation to the formation of a Licensing Policy Statement; and

- (b) to report back to this Committee providing a proposed note of application process for approval by the Committee, including application forms, guidance and a draft Sexual Entertainment policy statement.

10. TAXI STANCES

There was submitted Report No 12/20 by the Director of Legal and Democratic Services regarding potential amendments to the taxi stance provision in Keptie Street, Arbroath, as shown on the plan marked Appendix A and detailed in Appendix B to the Report.

The Report advised that spot check surveys of the taxi stance in Keptie Street had been undertaken between 5 and 19 September 2019 and the survey results were provided in Appendix C to the Report. During the survey periods, no taxis had been observed in the stance however, taxis were observed operating from the nearby stance outside Arbroath train station which had four berths.

The Committee agreed:-

- (i) to authorise the Director of Legal and Democratic Services to consult with persons or organisations appearing to be representative of the operators of taxis operating in the area (as required by Section 19(1) of the Civic Government (Scotland) Act 1982 “1982 Act”) in respect of the proposed removal of the taxi stance provision in Keptie Street, Arbroath as detailed in the Report and on the plan marked Appendix A and as described in Appendix B to the Report;
- (ii) that in the absence of any objection or representation, give notice of the proposal to the Chief Constable and give public notice of the proposal by advertisement in at least one newspaper circulating in the area (as required by Section 19(4) of the Civic Government (Scotland) Act 1982);
- (iii) that in the absence of any objection or representation, obtain the consent of the roads authority to the proposal; and
- (iv) to implement the proposal.