

ANGUS COUNCIL

MINUTE of MEETING of the **CIVIC LICENSING COMMITTEE** hosted at Angus House, Orchardbank Business Park, Forfar and held remotely on Thursday 13 August 2020 at 12.25pm.

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

Councillor FOTHERINGHAM, Convener, in the Chair.

1. APOLOGY

An apology for absence was intimated on behalf of Councillor Colin Brown BEM.

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 20 February 2020 was approved as a correct record and signed by the Convener.

4. DELEGATED APPROVALS

There was submitted Report No 193/20 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 19 June 2020 to 24 July 2020.

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

With reference to Article 8 of the minute of meeting of this Committee of 9 January 2020, there was submitted Report No 194/20 by the Director of Legal and Democratic Services asking the Committee to consider the eleven responses received during the public consultation on phasing out cash as a means of paying for all licensing fees.

The Committee agreed: -

- (i) to note the eleven responses received during the consultation period contained within Appendix 1 to the Report; and
- (ii) to determine that cash payments should not be phased out as a means of paying for all licensing fees.

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 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.

7. NEW APPLICATION

There was submitted Report No 195/20 by the Director of Legal and Democratic Services 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) Street Trader's Licence (ST12)

The Committee considered a letter of objection received from Police Scotland dated 30 January 2020, in relation to an application for a Street Traders Licence (ST12) received on 30 January 2020.

The applicant was present and addressed the Committee after which members asked him questions.

Constable Jamieson then addressed the Committee on the contents of the letter from Police Scotland dated 30 January 2020.

The applicant then summed up.

COUNCILLOR KING, SECONDED BY COUNCILLOR FOTHERINGHAM, MOVED THAT THE APPLICATION BE REFUSED ON THE GROUNDS THAT THE APPLICANT WAS NOT A FIT AND PROPER PERSON TO BE THE HOLDER OF SUCH LICENCE.

Councillor Moore, seconded by Councillor Fairweather, moved as an amendment, that the application be deferred to the meeting of this Committee on 14 January 2021.

On a vote being taken, the members voted: -

For the motion: -

Councillors Fotheringham, Boyd, Durno, King, Lumgair, Nicol and Whiteside (7)

For the amendment: -

Councillors Moore and Fairweather (2)

The motion was declared carried and became the finding of the meeting resulting in the application being refused.

8. RENEWAL APPLICATION

There was submitted Report No 196/20 by the Director of Legal and Democratic Services regarding an application received for a renewal 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 (TD94)

The Committee considered a letter of objection received from Police Scotland dated 14 July 2020, in relation to an application for the renewal of a taxi drivers' licence (TD94) received on 13 July 2020.

The applicant was present and addressed the Committee after which members asked him questions.

Constable Jamieson then addressed the Committee on the contents of the letter from Police Scotland dated 14 July 2020.

The applicant then summed up.

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.