

ANGUS COUNCIL

MINUTE of MEETING of the **CIVIC LICENSING COMMITTEE** held remotely on Thursday 24 March 2022 at 11.34am.

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

Councillor Fotheringham, Convener, in the Chair.

1. APOLOGIES

There were no apologies for absence intimated.

2. DECLARATIONS OF INTEREST

Councillor Boyd declared an interest in Item 7 (Report No 116/22) as he was a registered landlord. He indicated that he would not take part in any discussion and voting and would leave the meeting during consideration of this item.

3. MINUTE OF PREVIOUS MEETING

The minute of meeting of this Committee of 17 February 2022 was approved as a correct record and signed by the Convener.

4. DELEGATED APPROVALS

There was submitted Report No 114/22 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 24 January to 1 March 2022.

5. SAFETY OF SPORTS GROUNDS ACT 1975

With reference to Article 5 of the minute of meeting of this Committee of 25 March 2021, there was submitted Report No 115/22 by the Director of Legal and Democratic Services regarding the confirmation of the General Safety Certificates in terms of the Safety of Sports Ground Act 1975 and Fire Safety and Places of Sport Act 1987, where there were no objections or representations, following consultation and upon the recommendation of the interim Angus Council Safety Advisory Group (SAG).

The Report indicated that notification had been received on 8 March 2021 advising that the TGSIT would be disbanding and Council officers were currently undertaking initial work to formally establish a new Angus Council Safety Advisory Group as recommended by the Local Government Football Review Working Group and by the Sports Ground Safety Authority. An interim SAG comprising technical staff, buildings authority staff, police, fire and ambulance services' representatives and first aiders undertook the duties for 2021/22 and have recommended that the General Safety Certificates detailed in Appendix 1 to the Report be confirmed following no objections being received. Certificates required to be confirmed annually in terms of the legislation.

The Committee agreed: -

- (i) to confirm the General Safety Certificates detailed in Appendix 1 of the Report in terms of the Safety of Sports Grounds Act 1975, the Fire Safety and Places of Sport Act 1987; and
- (ii) to delegate authority to the Director of Legal and Democratic Services, or her nominated representative, to sign letters of confirmation to give effect to this decision.

6. EXCLUSION OF PUBLIC AND PRESS

The Committee resolved, in terms of Standing Order 28(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.

Having declared an interest at Article 2 above, Councillor Boyd left the meeting during consideration of the following item.

7. APPLICATION FOR ENTRY INTO THE REGISTER OF LANDLORDS (RL 1)

There was submitted Report No 116/22 by the Director of Legal and Democratic Services regarding an application (RL1) received for entry in the register of Landlords held by the Council under the Antisocial Behaviour etc (Scotland) Act 2004, section 82.

The applicant was not present.

Constable Smith addressed the Committee and gave details of the offence. The Manager, Housing Strategy team also addressed the Committee.

The Committee agreed that the application be refused as the applicant was not a fit and proper person to act as a landlord.

8. CURRENT LICENCE HOLDER – LETTER OF COMPLAINT

There was submitted Report No 117/22 by the Director of Legal and Democratic Services regarding a letter of complaint which had been received in connection with a current licence holder under the Civic Government (Scotland) Act 1982 which required to be considered by the Committee, as detailed in the Appendix to the Report.

(a) Taxi Driver's Licence (TD97)

The Committee considered a letter of complaint received from Police Scotland dated 17 February 2022 in relation to a Taxi Driver's Licence (TD97), advising that the licence holder may no longer be a fit and proper person to hold a licence.

The licence holder was present and it was noted that the Fixed Penalty had now been paid.

The Committee then heard from Constable Smith who spoke on the contents of the letter from Police Scotland dated 17 February 2022.

The Committee noted the letter of complaint and agreed that the applicant be given a warning of the possible consequences of any future adverse reports.