

ANGUS COUNCIL

MINUTE of HYBRID MEETING of the **CIVIC LICENSING COMMITTEE** held in the Town and County Hall, Forfar on Thursday 17 August 2023 at 11.57am.

Present: Councillors GEORGE MEECHAN, LLOYD MELVILLE, KENNY BRAES, LINDA CLARK, BRENDA DURNO, CRAIG FOTHERINGHAM, GAVIN NICOL, ROSS GREG, JILL SCOTT and BETH WHITESIDE.

Councillor MEECHAN, Convener, in the Chair.

1. APOLOGIES

There were no apologies of absence intimated.

2. DECLARATIONS OF INTEREST AND STATEMENTS OF TRANSPARENCY

There were no declarations of interest or statements of transparency made.

3. MINUTES OF PREVIOUS MEETINGS

The minutes of meetings of this Committee of 18 May and 20 June 2023 were approved as correct records and signed by the Convener.

4. DELEGATED APPROVALS

There was submitted Report No 207/23 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, which had been granted/renewed under delegated powers during the period 21 April 2023 to 13 July 2023.

5. EXCLUSION OF PUBLIC AND PRESS

The Committee resolved that the public and press be excluded from the meeting during consideration of the following items, so as to avoid disclosing confidential information in terms of Section 50A(2) and (3)(b) to the Local Government (Scotland) Act 1973.

6. NEW APPLICATIONS

There was submitted Report No 208/23 by the Director of Legal and Democratic Services regarding applications received for new licences under the Civic Government (Scotland) Act 1982 and other miscellaneous Acts which required to be determined by the Committee, as detailed in the Appendix to the Report.

(a) Taxi Driver's Licence (TD106)

The Committee considered a letter of objection received from Police Scotland dated 6 July 2023, in relation to an application for a Taxi Driver's licence (TD106) received on 16 June 2023.

The applicant and his representative were present. The applicant's representative addressed the Committee on his behalf.

Constable Thomson-Craig, Police Scotland, then addressed the Committee on the contents of the letter from Police Scotland dated 6 July 2023 which had been circulated to members prior to the meeting.

The Committee noted that Police Scotland had submitted a further letter also dated 6 July 2023 advising that the applicant had a spent conviction regarded as "protected" in

terms of the Rehabilitation of the Offenders Act 1974. On hearing Constable Thomson-Craig reasons why this should be considered, the Committee unanimously agreed that, in all the circumstances, it was in the interest of justice that the letter dated 6 July 2023 be circulated. Constable Craig-Thomson then spoke on the contents of the letter which was noted by members. Members then asked the applicant and his representative a number of questions.

The applicant's representative then summed up.

The Committee unanimously agreed that the application be refused on the grounds that the applicant was not a fit and proper person to hold a Taxi Driver's licence.

(b) Skin Piercing and Tattooing Licence (SP8)

The Committee considered a letter of representation received from Police Scotland dated 19 July 2023, in relation to an application for a Skin Piercing and Tattooing Licence (SP8) received on 12 July 2023.

The applicant was present and addressed the Committee.

Constable Thomson-Craig then addressed the Committee and the Committee noted that the applicant was subject of pending criminal proceedings.

The Committee agreed to defer consideration of the application until the court case had progressed.

7. RENEWAL APPLICATION

There was submitted Report No 209/23 by the Director of Legal and Democratic Services regarding an application received for the renewal of a 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) Late hours Catering Licence (LHCL24)

The Committee considered an application for the renewal of a Late hours Catering Licence (LHCL24) received on 16 June 2023 from Tesco Stores Ltd in respect of premises at Western Road, Montrose for the hours Monday to Sunday 23.00 to 24.00 January to November and Monday to Sunday 23.00 to 05.00 during December, which were outwith guidelines.

The applicant's agent was present and addressed the Committee.

The Committee agreed that the application be renewed.