

## ANGUS COUNCIL

MINUTE of HYBRID MEETING of the **CIVIC LICENSING COMMITTEE** held in the Town and County Hall, Forfar on Thursday 15 February 2024 at 10.40am.

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

Councillor MEECHAN, Convener, in the Chair.

### 1. **APOLOGIES**

An apology for absence was intimated on behalf of Councillor Lloyd Melville.

### 2. **DECLARATIONS OF INTEREST AND STATEMENTS OF TRANSPARENCY**

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

### 3. **MINUTE OF PREVIOUS MEETING**

The minute of meeting of this Committee of 11 January 2024 was approved as a correct record and signed by the Convener.

### 4. **EXCLUSION OF PUBLIC AND PRESS**

The Committee resolved that the public and press be excluded from the meeting during consideration of items 8 & 9, so as to avoid disclosing confidential information in terms of Section 50A(2) and (3)(b) to the Local Government (Scotland) Act 1973.

### 5. **DELEGATED APPROVALS**

There was submitted Report No 31/24 by the Director of Legal, Governance and Change 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, Governance and Change in accordance with the Scheme of Delegation to Officers.

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 11 December 2023 to 24 January 2024.

### 6. **BARRY DOWNS TOURING CARAVAN PARK, CARNOUSTIE**

There was submitted Report No 32/24 by the Director of Vibrant Communities and Sustainable Growth regarding an application received from Andrew Young, Barry Downs Caravan Park, Carnoustie for an amendment to the existing caravan site licence at Barry Downs Touring Caravan Park, Carnoustie. The amendment sought to update the management details for the site to that of Andrew Young. Previously, the licence was in the name of Shoreline Management Ltd. The applicant had also requested to change the operating period of the site to be open all year round (1 January to 31 December). The number of touring pitches (61) remained the same.

Mr Young, the applicant, was present and addressed the Committee.

The Committee agreed: -

- (i) to amend the caravan site licence to that of Andrew Young in order to update the management details for the site; and
- (ii) to extend the opening period, from the current period of 15 February to 31 January each year, to 1 January to 31 December each year.

## **7. RENEWAL APPLICATION – LATE HOURS CATERING LICENCE**

There was submitted Report No 33/24 by the Director of Legal, Governance and Change 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 – Asda Stores Ltd, St. James Road, Forfar**

The Committee considered an application for the renewal of a Late hours Catering Licence received on 22 November 2023 from Asda Stores Ltd in respect of premises at St James Road, Forfar for the hours Monday to Sunday 23.00 to 05.00, which were outwith guidelines.

A letter from the applicant's agent had been submitted to members.

The Committee agreed that the application be renewed.

## **8. NEW APPLICATIONS - ANIMAL BOARDING ESTABLISHMENT**

There was submitted Report No 34/24 by the Director of Legal, Governance and Change regarding applications 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 Establishment Licence (AB7)**

The Committee considered information from Environmental & Consumer Protection, in relation to an application for an Animal Boarding Establishment Licence (AB7) received on 21 September 2023.

The applicant was not present.

The Service Leader, Environmental and Consumer Protection advised that the works were still outstanding.

The Committee agreed that the application be deferred to the Civic Licensing Committee on 28 March 2024 to allow the works to be completed.

### **(b) Animal Boarding Establishment Licence (AB8)**

The Committee considered information received from Environmental & Consumer Protection, in relation to an application for an Animal Boarding Establishment Licence (AB8) received on 21 August 2023.

The applicant was present and addressed the Committee during which she informed members that the outstanding works had now been completed.

The Committee agreed that the application be deferred to allow an inspection of the works by Environment & Consumer Protection, and it was noted that should the inspection be satisfactory, the application would be granted under delegated authority.

## **9. NEW APPLICATIONS**

There was submitted Report No 35/24 by the Director of Legal, Governance and Change regarding applications 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) Second Hand Dealers Licence Application (SHDL12)**

The Committee considered an objection received from a member of the public dated 19 December 2023, in relation to an application for a Second Hand Dealers Licence (SHDL12) received on 22 November 2023.

The applicant was present and addressed the Committee.

The objector, then addressed the Committee and discussion took place.

The applicant then summed up.

The Committee agreed that the application be granted, subject to the standard conditions.

**(b) Private Hire Drivers Licence Application (PHCD57)**

The Committee considered a letter of objection received from Police Scotland dated 9 January 2024, in relation to an application for a Private Hire Driver's licence (PHCD57) received on 13 December 2023.

The applicant was present and addressed the Committee.

Constable Simpson, Police Scotland, then addressed the Committee on the contents of the letter from Police Scotland dated 9 January 2024 which had been circulated to members prior to the meeting and it was noted that the applicant had spent convictions regarded as "protected".

Constable Simpson then advised of the age and nature of the spent convictions and the Committee unanimously agreed that, in the circumstances, it was in the interests of justice that the letter from Police Scotland dated 9 January 2024 containing details of the spent convictions regarded as "protected" be circulated to members.

Constable Simpson gave further details of the spent convictions and members asked the applicant a number of questions.

The applicant then summed up.

The Committee agreed that the application be granted, subject to the standard conditions.