

## ANGUS COUNCIL

MINUTE of SPECIAL HYBRID MEETING of the **CIVIC LICENSING COMMITTEE** held in Town and County Hall, Forfar on Thursday 5 September 2024 at 10.00am.

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

Councillor MEECHAN, Convener, in the Chair.

### 1. **APOLOGIES**

Apologies for absence were intimated on behalf of Councillors Lloyd Melville and Gavin Nicol.

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

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

### 3. **EXCEPTION TO CINEMA LICENCE CONDITIONS**

There was submitted Report No 260/24 by the Director of Legal, Governance and Change regarding a request from The Montrose Playhouse Project Limited (Licence Number CL6) to permit the exhibition of seventeen (17) unclassified films as detailed in Appendices 1 & 2 to the Report.

Mr Buchanan, Venue Manager, Montrose Playhouse addressed the Committee following which Ms Caplan, Co-Producer, Montrose LandxSea Film Fest spoke.

It was noted that members of the Committee had viewed the various films and had no issues with the contents of the unclassified films.

The Committee agreed to permit the exhibition of seventeen (17) unclassified films and applied no additional conditions to the permission.

### 4. **RENEWAL APPLICATION – RESIDENTIAL CARAVAN SITE – SEATON ESTATE, SEATON ROAD, ARBROATH**

With reference to Article 4 of the minute of meeting of this Committee of 16 May 2019, there was submitted Report No 261/24 by the Director of Legal, Governance and Change regarding an application received from Crown Parks Ltd for the renewal of licence AC/03/2019, a residential caravan site licence in respect of Seaton Estate, Seaton Road, Arbroath under the Caravan Sites and Control Development Act 1960 which required to be determined by the Committee.

The maximum number of caravans proposed to be stationed at any one time for the purposes of residential use was 325. There were also 304 holiday and 25 touring caravans on the site. The application and site plan of the Park was attached as Appendix 1 to the Report.

The members noted that a number of matters remained outstanding in respect of the application as detailed in Appendix 2 to the Report.

Mr Krystian Nlynarski, operations manager for the applicant, was present and addressed the Committee and updated members on the outstanding issues.

Mr Petrie, Environmental and Consumer Protection and Mr Ferrier, Building Standards both addressed the committee and updated members with regards to the outstanding issues.

Mr Nlynarski then summed up.

The Committee agreed to grant the application.

*At this stage in the meeting, and in accordance with the provision of Standing Order 10(1), the Committee agreed that the order of business be varied and it was considered in the following order.*

**5. RENEWAL APPLICATION – RESIDENTIAL CARAVAN SITE – TAYOCK CARAVAN PARK, BRECHIN ROAD, MONTROSE**

With reference to Article 5 of the minute of meeting of this Committee of 3 July 2019, there was submitted Report No 263/24 by the Director of Legal, Governance and Change regarding an application received from Flynn Parks Ltd for the renewal of licence AC/04/2019, a residential caravan site licence in respect of Tayock Caravan Park, Brechin Road, Montrose under the Caravan Sites and Control Development Act 1960 which required to be determined by the Committee.

The maximum number of caravans proposed to be stationed at any one time for the purposes of residential use was 27. There were also 36 static holiday caravans on the site. The application and site plan of the Park was attached as Appendix 1 to the Report.

The members noted that a number of matters remained outstanding in respect of the application as detailed in Appendix 2 to the Report.

Mr Donald Gardner, a representative for the applicant was present and addressed the Committee.

Mr Petrie, Environmental and Consumer Protection addressed the Committee and updated members with regards to the outstanding issues and members asked a number of questions.

Mr Gardner then summed up.

The Committee agreed that due to the outstanding matters, they were minded to refuse the application as the applicant may be unable to satisfy the requirements of a holder of a licence in terms of Section 32O of the 1960 Act – Fit and Proper Person Considerations and agreed that a Notice in terms of s32D(4), detailing the consideration of refusal, which would include the Committee's reasons for considering refusal, be sent to the Applicant. The applicant would be entitled to make written representations at least 28 days after the date on which the notice was given.

**6. RENEWAL APPLICATION – RESIDENTIAL CARAVAN SITE – NURSERY PARK CARAVAN SITE, BRECHIN**

With reference to Article 4 of the minute of meeting of this Committee of 3 July 2019, there was submitted Report No 262/24 by the Director of Legal, Governance and Change regarding an application received from Michael Delaney for the renewal of licence AC/06/2019, a residential caravan site licence in respect of Nursery Park Caravan Site, Brechin under the Caravan Sites and Control Development Act 1960 which required to be determined by the Committee.

The maximum number of caravans proposed to be stationed at any one time for the purposes of residential use was 14. The application and site plan of the Park was attached as Appendix 1 to the Report.

The members noted that a number of matters remained outstanding in respect of the application as detailed in Appendix 2 to the Report.

Mr Delaney was not present.

Mr Petrie, Environmental and Consumer Protection and Mr Ferrier, Building Standards both addressed the committee and updated members with regards to the outstanding issues. Members then asked a number of questions.

The Committee agreed that due to the outstanding matters, they were minded to refuse the application as the applicant may be unable to satisfy the requirements of a holder of a licence in terms of Section 32O of the 1960 Act – Fit and Proper Person Considerations and agreed that a Notice in terms of s32D(4), detailing the consideration of refusal, which would include the Committee's reasons for considering refusal, be sent to the Applicant. The applicant would be entitled to make written representations at least 28 days after the date on which the notice was given.