

ANGUS COUNCIL

MINUTE of HYBRID MEETING of the **CIVIC LICENSING COMMITTEE** held in Town and County Hall, Forfar on Thursday 13 February 2025 at 10.45am.

Present: Councillors GEORGE MEECHAN, LLOYD MELVILLE, KENNY BRAES, BRENDA DURNO, CRAIG FOTHERINGHAM, ROSS GREIG, GAVIN NICOL, JILL SCOTT, TOMMY STEWART and BETH WHITESIDE.

Councillor MEECHAN, Convener, in the Chair.

1. APOLOGIES

There were no apologies intimated.

2. DECLARATIONS OF INTEREST AND STATEMENTS OF TRANSPARENCY

Councillor Stewart made a statement of transparency in relation to Item 6, Report No 34/25 as he is the holder of a taxi operators' licence. He indicated that he would take part in any discussion and voting.

3. MINUTES OF PREVIOUS MEETINGS

The minutes of meetings of this Committee of 19 December 2024 and 9 January 2025 were approved as correct records and signed by the Convener.

4. EXCLUSION OF PUBLIC AND PRESS

The Committee agreed that the public and press be excluded from the meeting during consideration of item 10, 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 33/25 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 12 December 2024 to 22 January 2025.

6. TAXI FARES REVIEW

With reference to Article 3 of the minute of meeting of this Committee of 5 December 2023, there was submitted Report No 34/25 by the Director of Legal, Governance and Change regarding the legal requirements on licensing authorities in respect of the fixing of scales for the fares and other charges in connection with the hire or with the arrangements for the hire of a taxi in terms of Section 17 of the Civic Government (Scotland) Act 1982 and sought consent to commence the review process in respect of those fares and other charges.

The Committee agreed: -

- (i) to note the legal requirements on licensing authorities in respect of the fixing of scales for the fares and other charges in connection with the hire or with the arrangements for the hire of a taxi in terms of Section 17 of the Civic Government (Scotland) Act 1982;
- (ii) to note the process of reviewing the fares and other charges in connection with the hire or with the arrangements for the hire of a taxi; and
- (iii) to commence the process of reviewing the fares and other charges in connection with the hire or with the arrangements for the hire of a taxi and that all taxi operators licensed in Angus would be consulted in writing on the review by email and/or post and asked

for their proposals, noting that operators would be given one calendar month to respond and that the “Engage Angus” platform would be used, in addition to messages being placed on Angus Council’s Facebook page and X (formally Twitter) feed.

7. NEW APPLICATION FOR HOUSE IN MULTIPLE OCCUPATION LICENCE

There was submitted Report No 35/25 by the Director of Legal, Governance and Change regarding an application received for a House in Multiple Occupation Licence under the Housing (Scotland) Act 2006 which required to be determined by the Committee, as detailed in the Appendix to the Report.

(a) 25 West Newgate, Arbroath

The Committee considered an application from Ashraf Properties Ltd, 39 High Street, Arbroath, DD11 1AN for a House in Multiple Occupation licence received on 11 December 2024. The application was for a flat/house, as a whole, comprising of 9 rooms and a maximum capacity of 10 residents at any one given time.

Mrs Thom, Building Standards Manager addressed the Committee and confirmed that she had no objections to the granting of the licence.

The Committee agreed to grant the application, subject to standard conditions.

(b) Towerbank Guest House, 9 St James Street, Arbroath

The Committee considered an application from JRM Scotland Ltd, 10 Granary Wynd, Monikie, DD5 3UX for a House in Multiple Occupation licence received on 27 November 2024. The application was accommodation to cater for short term residents, e.g. only tourists, commercial travellers, etc who would stay no more than three weeks duration at any one time and long term residents including students who would occupy the premises as their main home whilst resident in Angus. The premises comprised 13 rooms, including kitchen, and had a maximum capacity for 13 residents at any one given time.

Ms Morrison addressed the Committee on behalf of the applicant.

The Committee agreed to grant the application, subject to the standard conditions.

8. NEW APPLICATION - RESIDENTIAL CARAVAN SITE – NURSERY LANE CARAVAN PARK, BRECHIN

There was submitted Report No 36/25 by the Director of Legal, Governance and Change regarding an application received for a new licence for a residential caravan site licence under the Caravan Sites and Control of Development Act 1960 which required to be determined by the Committee, as detailed in the Appendix to the Report.

Mrs Thom, Building Standards Manager addressed the Committee and confirmed that a further test on the drainage required to take place.

The Committee agreed to grant the residential caravan site licence in respect of Nursery Lane Caravan Park, Brechin subject to the Model Standards for Residential Mobile Home Site Licences produced by the Scottish Government.

9. ANIMAL WELFARE ESTABLISHMENT APPLICATION

There was submitted Report No 37/25 by the Director of Legal, Governance and Change regarding an application received for a new licence under the Animal Welfare (Licensing of Activities Involving Animals) (Scotland) Regulations 2021 which was required to be determined by the Committee, as detailed in the Appendix to the Report.

(a) All Bullie Charity Rescue, HAPPAS Canine Centre, Happas, Forfar

With reference to Article 5 of the minute of meeting of this Committee of 9 January 2025, the Committee considered a new grant application for an Animal Welfare Establishment licence received on 22 October 2024 by Kerry Anne Shaw on behalf of All Bullie Charity Rescue in respect of HAPPAS Canine Centre.

As required by the Regulations an Inspector's Report in terms of Regulation 12 had been received from Environmental Health which indicated that the grant of the application would not be appropriate in the circumstances as the applicant would be unable to comply with the standard conditions as detailed in Appendix 3 of the Report.

Mr Cohen, legal representative for the applicant was present and addressed the Committee.

Ms Hill, Animal Health Officer then addressed the Committee on the contents of the second Report as detailed in Appendix 3 of the Report.

The Committee then asked questions of Ms Hill, Mr Cohen and Ms Shaw.

At this stage in the meeting, the Committee agreed to adjourn for ten minutes to allow legal advice to be taken in private. The meeting reconvened at 12 noon.

After hearing from the Mr McQueen, Legal Advisor, Mr Cohen summed up.

Having considered the contents of the Report and all submissions, the Committee agreed that the application be refused as the standard conditions were not likely to be met.

10. NEW SHORT TERM LETS APPLICATION

There was submitted Report No 38/25 by the Director of Legal, Governance and Change regarding an application received for a new licence for a Short Term Lets under the Civic Government (Scotland) Act 1982 which required to be determined by the Committee, as detailed in the Appendix to the Report.

(a) Short-Term Lets Application – 35 The Maltings, Victoria Street, Carnoustie (STL7)

The Committee considered a letter of objection, received from Police Scotland dated 8 January 2025 in relation to a new grant application for a Short Term Lets licence received on 12 December 2024 in respect of premises at 35 The Maltings, Victoria Street, Carnoustie (STL7).

Constable Smith addressed the Committee on the contents of the letter from Police Scotland dated 8 January 2025.

The applicant was not present.

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