



Licensing Committee

Wednesday, 09 June 2021

NOTICE IS HEREBY GIVEN that a Meeting of the **Licensing Committee** is to be held at **remote locations via video conference**, on **Wednesday, 09 June 2021** at **09:30**.

BUSINESS

1 Sederunt

2 Declaration of Group Decisions and Members Interests *

3 Resolution

Consider, and if so decide, adopt the following resolution:
"That under Section 50A (4) and (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting for Item 7 and 8 of business on the grounds that it involves the likely disclosure of exempt information of the class described in the relevant Paragraphs of Part 1 of Schedule 7A of the Act."

4 Minutes

4a) Minute of Meeting of 20 May 2021 **5 - 6**

4b) Minute of Meeting dated 17 February 2021 **7 - 8**

5 Written Questions **

6 Question Time ***

Consider any oral question on matters delegated to the Committee in terms of the Council's Scheme of Administration.

Item(s) which the Committee may wish to consider with the Press and Public excluded

7 TD-21-002 - Report

- Information, which if disclosed to the public, would reveal that the Authority proposes, for the purposes of consultation, make an order or direction under any enactment which might allow an individual or organisation to defeat the purpose of the notice or order;

8 Civic Government (Scotland) Act 1982-Mandatory

Review of Taxi Fares and Charges

- Information, which if disclosed to the public, would reveal that the Authority proposes, for the purposes of consultation, make an order or direction under any enactment which might allow an individual or organisation to defeat the purpose of the notice or order;

Summary of Licensing Committee functions:

To deal with all aspects of the issue of licenses by Local Authorities as required by Government; to deal with matters of Licensing and registration not falling within the functions of any other Committee.

Moray Council Committee meetings are currently being held virtually due to Covid-19. If you wish to watch the webcast of the meeting please go to:

http://www.moray.gov.uk/moray_standard/page_43661.html
to watch the meeting live.

* **Declaration of Group Decisions and Members Interests** - The Chair of the meeting shall seek declarations from any individual or political group at the beginning of a meeting whether any prior decision has been reached on how the individual or members of the group will vote on any item(s) of business on the Agenda, and if so on which item(s). A prior decision shall be one that the individual or the group deems to be mandatory on the individual or the group members such that the individual or the group members will be subject to sanctions should they not vote in accordance with the prior decision. Any such prior decisions will be recorded in the Minute of the meeting.

** **Written Questions** - Any Member can put one written question about any relevant and competent business within the specified remits not already on the agenda, to the Chair provided it is received by the Proper Officer or Committee Services by 12 noon two working days prior to the day of the meeting. A copy of any written answer provided by the Chair will be tabled at the start of the relevant section of the meeting. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than 10 minutes after the Council has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he or she can submit it in writing to the Proper Officer who will arrange for a written answer to be provided within 7 working days.

*** **Question Time** - At each ordinary meeting of the Committee ten minutes will be allowed for Members questions when any Member of the Committee can put a question to the Chair on any business within the remit of that Section of the Committee. The Member who has put the question may, after the answer has been given, ask one supplementary question directly related to the subject matter, but no discussion will be allowed.

No supplementary question can be put or answered more than ten minutes after the Committee has started on the relevant item of business, except with the consent of the Chair. If a Member does not have the opportunity to put a supplementary question because no time remains, then he/she can submit it in writing to the proper officer who will arrange for a written answer to be provided within seven working days.

THE MORAY COUNCIL

Licensing Committee

SEDERUNT

Councillor Gordon Cowie (Chair)
Councillor Louise Nicol (Depute Chair)

Councillor George Alexander (Member)
Councillor James Allan (Member)
Councillor David Bremner (Member)
Councillor Theresa Coull (Member)
Councillor Paula Coy (Member)
Councillor Ryan Edwards (Member)
Councillor Donald Gatt (Member)
Councillor Marc Macrae (Member)
Councillor Maria McLean (Member)
Councillor Ray McLean (Member)
Councillor Derek Ross (Member)
Councillor Amy Taylor (Member)

Clerk Name:	Tracey Sutherland
Clerk Telephone:	07971 879268
Clerk Email:	tracey.sutherland@moray.gov.uk

Minute of Meeting of the Licensing Committee**Thursday, 20 May 2021****remote locations via video conference,****PRESENT**

Councillor George Alexander, Councillor James Allan, Councillor David Bremner, Councillor Theresa Coull, Councillor Gordon Cowie, Councillor Paula Coy, Councillor Ryan Edwards, Councillor Donald Gatt, Councillor Marc Macrae, Councillor Maria McLean, Councillor Louise Nicol, Councillor Derek Ross, Councillor Amy Taylor

APOLOGIES

Councillor Ray McLean

IN ATTENDANCE

Also in attendance at the above meeting were Sean Hoath, Senior Solicitor, Tracey Sutherland, Committee Services Officer, both Moray Council, Sergeant Gill Flett, Police Scotland and Mr David Adams, Solicitor the Licence Holder's representative.

1. Declaration of Group Decisions and Members Interests *

In terms of Standing Order 20 and the Councillors' Code of Conduct, there were no declarations from Group Leaders or Spokespersons in regard to any prior decisions taken on how Members will vote on any item on the agenda or any declarations of Member's Interests in respect of any item on the agenda.

2. Resolution

The meeting resolved in terms of Section 50A (4) AND (5) of the Local Government (Scotland) Act 1973, as amended, the public and media representatives be excluded from the meeting during consideration of the items of business appearing at the relevant paragraphs of this minute as specified below, so as to avoid disclosure of exempt information of the class described in the appropriate paragraphs of Part 1 Schedule 7a of the Act.

Para Number of the Minute	Para Number of Schedule 7a
4	Information relating to action taken, or to be taken, in connection with the prevention, investigation or prosecution of a crime

3. STD-21-001 Report [Para14]

A report by the Depute Chief Executive (Education, Communities and Organisational Development) asked the Committee to consider on behalf of the Chief Superintendent for suspension of a taxi driver's licence.

The Committee noted that the licence holder's representative was in attendance. The Chief Superintendent was represented by Sergeant Gill Flett, Police Scotland.

Sergeant Flett addressed the Committee and responded to questions raised by the Committee.

The Licence Holder's representative addressed the Committee and responded to questions raised by the Committee.

Both the Licence Holder's representative and Sergeant Flett summed up and confirmed that they had received a fair hearing from the Committee.

Councillor Cowie moved that the Committee suspend the licence with immediate effect for the remaining term of the licence on the ground that the carrying of the activity is likely to cause a threat to public order or public safety and circumstances justified immediate suspension. As there was no one otherwise minded the licence was suspended with immediate effect.

Minute of Meeting of the Licensing Committee

Wednesday, 17 February 2021

remote locations via video conference,

PRESENT

Councillor George Alexander, Councillor James Allan, Councillor Theresa Coull, Councillor Gordon Cowie, Councillor Paula Coy, Councillor Ryan Edwards, Councillor Marc Macrae, Councillor Maria McLean, Councillor Ray McLean, Councillor Louise Nicol, Councillor Derek Ross

APOLOGIES

Councillor David Bremner, Councillor Donald Gatt, Councillor Amy Taylor

IN ATTENDANCE

Also in attendance at the above meeting were Sean Hoath, Senior Solicitor, Joanne Larsen, Licensing Standards Officer and Tracey Sutherland, Committee Services Officer all Moray Council and Sergeant Gill Flett, Police Scotland.

1. Chair

The meeting was chaired by Councillor Gordon Cowie.

2. Declaration of Group Decisions and Members Interests *

In terms of Standing Order 20 and the Councillors' Code of Conduct, there were no declarations from Group Leaders or Spokespersons in regard to any prior decisions taken on how Members will vote on any item on the agenda or any declarations of Member's Interests in respect of any item on the agenda.

3. Minute of Meeting on 10 and 17 September 2020

The minute of the meeting of the Licensing Committee on 10 and 17 September 2020 was submitted and approved.

4. Minute of Meeting of 2 December 2020

The minute of the meeting of the Licensing Committee on 2 December 2020 was submitted and approved.

5. Application for a Taxi Driver Licence - TD21-001

A report by the Depute Chief Executive (Education, Communities and Organisational Development) asked the Committee to consider an application for the grant of a taxi driver licence received on 30 October 2020 subject to an adverse representation received from a consultee.

The Committee noted that the applicant was in attendance. The Chief Superintendent was represented by Sergeant Gill Flett, Police Scotland.

The applicant addressed the Committee and responded to questions raised by the Committee.

Sergeant Flett addressed the Committee and responded to questions raised by the Committee.

Both the Applicant and Sergeant Flett summed up and confirmed that they had received a fair hearing from the Committee.

Councillor Alexander moved that the Committee grant the licence this was seconded by Councillor Aaron McLean.

As there was no-one otherwise minded, the licence was granted.