

MORAY COUNCIL

Minute of Meeting of the Licensing Committee

Wednesday, 23 March 2022

Remote Locations via Video Conference,

PRESENT

Councillor George Alexander, Councillor James Allan, Councillor David Bremner, Councillor Theresa Coull, Councillor Gordon Cowie, Councillor Ryan Edwards, Councillor Donald Gatt, Councillor Marc Macrae, Councillor Ray McLean, Councillor Derek Ross, Councillor Amy Taylor, Councillor Sonya Warren

APOLOGIES

Councillor Maria McLean, Councillor Louise Nicol

IN ATTENDANCE

Also in attendance were Sean Hoath, Senior Solicitor, Tracey Sutherland Committee Services Officer, Moray Council and Sergeant Neil Grant, Police Scotland.

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 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 3 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.

Paragraph Number of the Minute	Paragraph Number of Schedule 7A and reason
7	14 Information relating to any action taken in connection with the prevention, investigation or prosecution of crime.

3. Minute of Meeting 9 February 2022

The minute of the meeting of 9 February 2022 was submitted and approved.

4. Minute of Special Meeting of 2 March 2022

The minute of the meeting of 2 March 2022 was submitted and approved.

5. Written Questions **

The Committee noted that there were no written questions.

6. Question Time ***

The Committee noted that no further questions were asked.

7. Application for Taxi Driver License TD22 - 002

A report by the Depute Chief Executive (Education, Communities and Organisational Development) asked the Committee to consider an application for the granting of a taxi driver licence received on 18 February 2022 subject to an objection received from a consultee.

The Committee noted that the applicant was not in attendance. The Senior Solicitor confirmed that the applicant had been sent a Notice of Hearing and the notice was sent recorded delivery and duly signed for. He further added that it was for the committee to decide whether to continue with the hearing or to defer and give the applicant the opportunity to attend.

Councillor Alexander advised that he was happy for the Committee to carry on in the absence of the applicant and there being no one otherwise minded the Committee continued.

On the invitation of the Chair, Sergeant Grant addressed the Committee and responded to questions from Members.

Councillor Alexander, stated that, in his opinion on hearing all the information presented the tests had been met, and the applicant was not a fit and proper person to hold a taxi driver licence and the carrying out the activity is likely to cause undue public nuisance or a threat to public order or public safety. Accordingly Councillor Alexander moved to refuse the application being satisfied that the circumstances and threat justified the decision. This was seconded by Councillor Bremner.

There being no one otherwise minded, the application was refused.