

MORAY COUNCIL

Minute of Meeting of the Licensing Committee

Wednesday, 22 June 2022

Council Chambers, Council Office, High Street, Elgin, IV30 1BX

PRESENT

Councillor James Allan, Councillor Peter Bloomfield, Councillor Neil Cameron, Councillor Tracy Colyer, Councillor John Divers, Councillor Jérémie Fernandes, Councillor Donald Gatt, Councillor Juli Harris, Councillor Paul McBain, Councillor Kathleen Robertson, Councillor Ben Williams

APOLOGIES

Councillor Theresa Coull

IN ATTENDANCE

Also in attendance were Sean Hoath, Senior Solicitor, Sana Sawar, Legal Advisor, Lindsey Robinson, Committee Services Officer, as Clerk to the Committee, all Moray Council, Sergeant Neil Grant, Police Scotland.

1. Chair

Councillor Paul McBain, as Chair of the Licensing Committee, chaired the meeting.

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. 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 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.

Paragraph Number of Minute	Paragraph Number of Schedule 7a and Reason
8	14 - Information relating to any action taken in connection with the prevention, investigation or prosecution of crime.

4. Minute of Meeting 23 March 2022

The minute of the meeting of the Licensing Committee dated 23 March 2022 was submitted and approved.

5. Written Questions **

The Committee noted that no written questions had been submitted.

6. Short term lets

A report by the Depute Chief Executive (Education, Communities and Organisational Development) informed the Committee of the requirement to introduce a new licensing regime for Short Term Lets in Moray and of the work in progress to deliver this and sought agreement to recommend to Council for an amendment to the existing Scheme of Delegation to deal with the new licence type.

Following consideration, the Committee agreed to:

- i. note the requirement to introduce a new licensing regime;
- ii. note the ongoing work to progress this
- iii. note the short timescale and the potential additional resource requirements to implement a complete new regime;
- iv. note and agree a light touch approach to the introduction of the licensing regime with the requirement to keep the matter under review; and
- v. recommend to the Council that the Scheme of Delegation be amended to include short term lets.

7. Question Time ***

The Committee noted that no further questions were asked.

8. Application For Grant of a Taxi Driver Licence TD-22-003

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 9 May 2022 subject to an adverse representation received from a consultee.

The Senior Solicitor introduced the report and confirmed to the Committee that as the licensing authority the Committee must consider each application within 3 months of its having been made and reach a final decision on it within a further 6 months and therefore should the Committee require further time to consider this case it could be deferred to the next meeting with a final decision being made by 9 February 2023.

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

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

On the invitation of the Chair, the applicant addressed the Committee and responded to questions from Members
Both the applicant and Sergeant Grant confirmed that they had received a fair hearing from the Committee

Councillor Allan, seconded by Councillor Bloomfield, moved that the licence be granted.

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