Dear Sir or Madam,

You are requested to attend a MEETING of DUNDEE CITY COUNCIL which is to be held in Committee Room No 1, 14 City Square, Dundee on Monday, 10th December 2007 at 6pm.

Yours faithfully

ALEX STEPHEN
Chief Executive

Members are reminded that, in terms of The Councillors Code, it is their responsibility to make decisions about whether to declare an interest in any item on this agenda and whether to take part in any discussions or voting.

This will include all interests, whether or not entered on your Register of Interests, which might be perceived as influencing your opinion/vote on any matter.

Programme of Business
(so far as known at the time of issuing this notice)

(a) MINUTES
1. Minute of Licensing Board dated 18th October 2007, page 1
2. Minute of Licensing Board Hearing dated 18th October 2007, page 30
3. Minute of Licensing Committee dated 1st November 2007, page 31
4. Minute of City Council dated 12th November 2007, page 50
5. Minute of Planning and Transport Committee dated 12th November 2007, page 51
6. Minute of Economic Development Committee dated 12th November 2007, page 54
7. Minute of Leisure, Arts and Communities Committee dated 12th November 2007, page 56
8. Minute of Policy and Resources Committee dated 12th November 2007, page 60
10. Minute of Licensing Board Hearing dated 15th November 2007, page 87
12. Minute of City Council dated 26th November 2007, page 92
14. Minute of Economic Development Committee dated 26th November 2007, page 96
15. Minute of Housing, Dundee Contract Services and Environment Services Committee dated 26th November 2007, page 98
17. Minute of Policy and Resources Committee dated 26th November 2007, page 104
At a MEETING of the DUNDEE CITY LICENSING BOARD held at Dundee on 18th October, 2007.

Present:-

Lord Provost John R LETFORD

BAILIES

George REGAN  Roderick A J WALLACE

COUNCILLORS

Kevin KEENAN  Kenneth GUILD  Brian GORDON
Christina ROBERTS  Helen DICK

Lord Provost John R LETFORD, Convener, in the Chair.

The minute of meeting of the Licensing Board held on 28th June 2007 was held as read

I  REQUEST FOR SECTION 31 HEARING

The Board agreed to a request from the Head of Environmental Health and Trading Standards for a Section 31 Hearing in respect of:-

James Fyffe, 2 Whitehall Crescent - Waterfront Bar and Restaurant

II  STATEMENT OF LICENSING POLICY

The Board were informed that a number of responses had been received in relation to the consultation exercise and that the final draft would be submitted to the Adjourned Board for approval.

III  GAMBLING ACT 2005

(a) APPLICATION FOR PROVISIONAL STATEMENT

<table>
<thead>
<tr>
<th>Name</th>
<th>Address of Premises</th>
<th>Type of Licence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ladbrokes Betting and Gaming Ltd</td>
<td>209 Brook Street Broughty Ferry</td>
<td>Betting Office</td>
</tr>
<tr>
<td>Imperial House</td>
<td>Dundee</td>
<td></td>
</tr>
<tr>
<td>Imperial Drive</td>
<td>DD5 2AG (Ladbrokes)</td>
<td></td>
</tr>
<tr>
<td>Rayners Lane</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Harrow</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Middlesex</td>
<td></td>
<td></td>
</tr>
<tr>
<td>HA2 7JW</td>
<td></td>
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</tr>
</tbody>
</table>

The Board, having heard from an agent on behalf of the applicant, the Board's legal officer and from a person who had lodged representations, agreed to grant the above application.

IV  LICENSING (SCOTLAND) ACT 1976

(a) APPLICATION FOR RENEWAL OF LICENCES

* Denotes Sunday Opening
$ Denotes Children's Certificates.
<table>
<thead>
<tr>
<th>Name</th>
<th>Address of Premises</th>
<th>Type of Licence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. 14the Hole Investments c/o Tallys 11/13 Old Hawkhill Dundee DD1 5EU and Tristan J Allen</td>
<td>7/13 Old Hawkhill Dundee DD1 5EU (Tallys)</td>
<td>Public House *</td>
</tr>
<tr>
<td>2. Florence Anne Adam</td>
<td>Allan Street Dundee (Shell Discovery)</td>
<td>Off-Sale</td>
</tr>
<tr>
<td>3. Mohammed Ashraf</td>
<td>8/10 Brownhill Road Dundee (Spar Shop)</td>
<td>Off-Sale</td>
</tr>
<tr>
<td>4. Mohammed Asif</td>
<td>37/39 and 41A Strathmartine Road Dundee DD3 7RN (News Food &amp; Wine Plus)</td>
<td>Off-Sale</td>
</tr>
<tr>
<td>5. Alexander McKiddie Boyle</td>
<td>105/107 Logie Street Lochee Dundee (Ancrum Arms)</td>
<td>Public House *</td>
</tr>
<tr>
<td>6. Broomvale Limited t/a Gulistan House and Munsif Ali Mohammed</td>
<td>Queen Street Broughty Ferry Dundee (Gulistan Restaurant)</td>
<td>Restaurant</td>
</tr>
<tr>
<td>7. Broughty Inns Limited 4-6 Arbroath Road Dundee and Lynn Mackie</td>
<td>4/6 Arbroath Road Dundee DD4 6EP (Mackie's Bar)</td>
<td>Public House *</td>
</tr>
</tbody>
</table>
8. Call a Keg Limited
   Belsize House
   Belsize Road
   Broughty Ferry
   Dundee
   DD5 1NF
   365 South Road
   Dundee
   DD2 2RT
   (Kettledrum)
   Public House *

The Board having heard from an Officer from Environmental Health and Trading Standards agreed to defer the above application to the Adjourned Board.

9. James Carroll
   20 Bonnybank Road
   Dundee
   DD1 2PJ
   (Tivoli Snooker Club)
   Entertainment

The Board agreed to grant the above application.

10. Clubdawn Limited
    Methven Street
    Cow Lane, Middleton Tyas
    North Yorkshire
    DL10 6RW
    and Steven G Calder
    Methven Street
    Lochee
    Dundee
    (Megabowl)
    Entertainment

The Board agreed to grant the above application.

11. Frances Colaco
    41 Albert Street
    Dundee
    DD4 6NY
    (The Paper Shop)
    Off-Sale

The Board agreed to grant the above application.

12. Dundee College
    Kingsway Campus
    Old Glamis Road
    Dundee
    DD3 8LF
    and Douglas Hutt
    Kingsway Campus
    Kingsway
    Dundee
    (The Space)
    Entertainment

The Board agreed to grant the above application.
13. Dundee Dramatic Society
58 Victoria Road
Dundee
DD1 2NU
and Alma Donald

The Board agreed to grant the above application.

14. Dundee Repertory Theatre Trading Ltd
Tay Square
Dundee
DD1 1PB
and Lorna Duguid

The Lord Provost declared a non-financial interest by virtue of his Council appointment to Dundee Repertory Theatre.

The Board agreed to grant the above application.

15. Fitness First Limited
58 Fleets Lane
Poole
Dorset
BH15 3BT
and Laura Mitchell

The Board agreed to grant the above application.

16. Forthflats Ltd
18 Benholm Gardens
Forfar
DD8 1XY
and Jean McCash

The Board, having heard from an officer from Environmental Health and Trading Standards and the applicant on their own behalf, agreed to grant the above application.

17. Gala Leisure Limited
New Castle House
Castle Boulevard
Nottingham
NG7 1FT
and Alistair J Tares

The Board agreed to grant the above application.

18. Rihan Ghaffar
63 Seagate
Dundee
(Seagate Convenience Store)

The Board agreed to grant the above application.

19. James Harvey
1 Dickson Avenue
Dundee
(The Shand)

The Board having heard from an officer from Environmental Health and Trading Standards and from an agent on behalf of the applicant agreed to defer the above application to the Adjourned Board.
20. Iceland Frozen Foods Plc
   Second Avenue
   Deeside Industrial Park
   Deeside
   Clwyd
   CH5 2NW
   and Louise R Smillie

   The Board agreed to grant the above application.

21. Michelle Naheed Mahmood
   106 Clepington Road
   Dundee
   (Mini Market)

   The Board agreed to grant the above application.

22. Marks & Spence plc
   Waterside House
   35 North Wharf Road
   London
   W2 1NN
   and Diane Dyer

   The Board agreed to grant the above application.

23. Robert McNeil
   214 Blackness Road
   Dundee
   DD1 5PL
   (McNeil's)

   The Board agreed to grant the above application.

24. David A Miller
   70 Logie Street
   Lochee
   DD2 2QE
   (Logie Bar)

   The Board, having heard from an officer from Environmental Health and Trading Standards and the applicant on their own behalf agreed to defer the above application to the Adjourned Board.

25. Peter S Miller
   173/175 Brook Street
   Broughty Ferry
   Dundee
   DD5 1DJ
   (Brambles)

   The Board agreed to grant the above application.

26. Munsif Ali Mohammed
   Queen Street Hall
   (First Floor)
   Queen Street
   Dundee
   (Gulistan Snooker Club)

   The Board agreed to defer the above application to the Adjourned Board.
The Board agreed to defer the above application to the Adjourned Board.

The Board agreed to grant the above application.

The Board agreed to grant the above application.

The Board agreed to grant the above application.

The Board agreed to grant the above application, subject to the following conditions:

(i) a minimum charge for entry to the premises, applicable to persons 18 years of age and over, should be charged; this charge shall be fixed by the Licensing Board at its meeting in June of each year for the year beginning 1st July and ending 30th June; and

(ii) the above minimum charge shall not be offset in any way; for the avoidance of doubt offsetting the minimum charge includes, but is not limited to (a) the issue of complimentary tickets or vouchers, and (b) the advance purchase of tickets granting entry on more than one evening.

The Board agreed to grant the above application, subject to the following conditions:
(i) a minimum charge for entry to the premises, applicable to persons 18 years of age and over, should be charged; this charge shall be fixed by the Licensing Board at its meeting in June of each year for the year beginning 1st July and ending 30th June; and

(ii) the above minimum charge shall not be offset in any way; for the avoidance of doubt offsetting the minimum charge includes, but is not limited to (a) the issue of complimentary tickets or vouchers, and (b) the advance purchase of tickets granting entry on more than one evening.

33. Pizza Hut (UK) Ltd
    1 Imperial Place
    Elstree Way
    Borehamwood
    Herts.
    WD6 1JN
    and Wendy J Naylor

Kingsway West Retail
Park
Dundee
(Pizza Hut)

The Board agreed to grant the above application.

34. Mohammed Shahid
    275/277 Brook Street
    Broughty Ferry
    Dundee
    (7 Day News)

Broughty Ferry Retail
Park
Dundee
(7 Day News)

The Board agreed to grant the above application.

35. Sainsburys Supermarkets Limited
    33 Holborn
    London
    EC1N 2HT
    and Chris P Daniels

Baldovie Road
Dundee
(Sainsbury)

The Board agreed to grant the above application.

36. Saltire Leisure Limited
    53 Bothwell Street
    Glasgow
    G2 6TS
    41 Dock Street
    Dundee
    (Express by Holiday Inn)

The Board agreed to grant the above application.

37. Somerfield Stores Ltd
    Somerfield House
    Whitchurch Lane
    Bristol
    BS14 0TJ
    and David S Lumsden

91/99 Albert Street
Dundee
(Somerfield)

The Board agreed to grant the above application.
38. Somerfield Stores Ltd
    Somerfield House
    Whitchurch Lane
    Bristol
    BS14 0TJ
    and John Gibson

    74 Brook Street
    Dundee
    (Somerfield)

    The Board agreed to grant the above application.

39. William B Storrie
    Drumgeith Road
    Dundee
    DD4 0JX
    (The Drumgeith Inn)

    The Board agreed to grant the above application.

40. Tay Hotels Limited
    51 Gray Street
    Broughty Ferry
    Dundee
    DD5 2BJ
    and John Don Adams

    51 Gray Street
    Broughty Ferry
    Dundee
    (Jollys Hotel)

    The Board agreed to defer the above application to the Adjourned Board.

41. Tesco Stores Limited
    PO Box 400
    Cirrus Building C
    Shire Park
    Welwyn Garden City
    Hertfordshire
    AL7 1ZR
    and Graeme Tough

    Methven Street
    Lochee
    Dundee
    (Tesco)

    Bailie Wallace declared a non-financial interest by virtue of having a relative employed by the applicant.

    The Board agreed to grant the above application.

42. Gillian M Veal
    58 Westport
    Dundee
    DD1 5ER
    (Parlour Cafe)

    The Board agreed to grant the above application.

43. Margo Wightman
    106 Dura Street
    Dundee
    DD4 6TE
    (Stobswell Newsagents)

    The Board agreed to grant the above application.
44. Williamson Design Florist Ltd  
   17a Houston Mains  
   Uphall  
   Broxburn  
   EH52 6PA  
   and Tracey Penny  

287 Brook Street  
Broughty Ferry  
Dundee  
DD5 2DS  
(Williamson Design Florist Ltd)

The Board agreed to grant the above application.

(b) APPLICATION FOR CONFIRMATION OF NOMINEE

1. Asda Stores Limited  
   Asda House  
   South Bank  
   Great Wilson Street  
   Leeds  
   LS11 5AD  
   and Stephen Gallagher  

Milton of Craigie Road  
Dundee  
(Asda)

The Board agreed to grant the above application.

2. Belhaven Brewery Co Ltd  
   Atrium House  
   6 Back Walk  
   Stirling  
   FK8 2QA  
   and Rhys Martinson  

10 - 16 Fort Street  
Broughty Ferry  
Dundee  
DD5 2AD  
(Fishermans Tavern)

The Board agreed to grant the above application.

3. Bleasdale Limited  
   c/o Reit Asset Management  
   5 Wigmore Street  
   London  
   W1U 1PB  
   and Michael P Johnstone  

Invergowrie  
Dundee  
DD2 5JT  
(Swallow Hotel)

The Board agreed to grant the above application.

4. Booker Limited  
   Equity House  
   Irthlinborough Road  
   Wellinborough  
   Northants  
   NN8 1LT  
   and Alan Robb  

Dunsinane Industrial Estate  
Dunsinane Avenue  
Kingsway  
Dundee  
(Booher Limited)

The Board agreed to grant the above application.

5. G1 Group plc  
   62 Virginia Street  
   Glasgow  
   and Andrew McMahon  

23/25 South Tay Street  
Dundee  
(Number 25)

The Board agreed to grant the above application.
6. **G1 Group plc**  
62 Virginia Street  
Glasgow  
and Simon P Arnott  

6/10 South Tay Street  
Dundee  
(The Social)

The Board agreed to grant the above application.

7. **Greene King Brewing and Retailing Ltd**  
Westgate Brewery  
Bury St Edmunds  
Suffolk  
IP33 1QW  
and Sonia S Patrick  

Riverside Drive  
Dundee  
DD2 1UH  
(Marmalade Pot)

The Board agreed to grant the above application.

8. **GRS Inns Limited**  
31 Haverscroft Industrial Estate  
New Road  
Atlebourgh  
Norfolk  
NR17 1YE  
and Jamie B W Scott  

1/5 Ward Road  
Dundee  
DD1 1LP  
(The No. 1)

The Board agreed to grant the above application.

9. **Hyndford Limited**  
1 Hyndford Street  
Dundee  
and Danny Cheung  

1 Hyndford Street  
Dundee  
DD2 1HQ  
(Shaftesbury Hotel)

The Board agreed to grant the above application.

10. **J D Wetherspoon Plc**  
Weatherspoon House  
Central Park  
Reeds Crescent  
Watford  
and Darren McKenzie  

67/71 Reform Street and  
1 Albert Square  
Dundee  
DD1 1SP  
(The Counting House)

The Board agreed to grant the above application.

11. **Rileys Ltd**  
Unit 8  
Clarendon Drive  
Wymbush  
Milton Keynes  
and David G Rutherford  

17 Dundonald Street  
Dundee  
(Riley's Snooker Club)

The Board agreed to grant the above application.

12. **Sainsburys Supermarkets Limited**  
33 Holborn  
London  
EC1N 2HT  
and Richard Cann  

Baldovie Road  
Dundee  
(Sainsbury)

The Board agreed to grant the above application.
13. Stakis Limited  
4 Cadogan Square  
Glasgow  
G2 7PH  
and Thomas J McDermott

Earl Grey Place  
Dundee  
DD1 4DE  
(Hilton Dundee Hotel)

The Board agreed to grant the above application.

14. Tesco Stores Limited  
PO Box 400  
Cirrus Building C  
Shire Park  
Welwyn Garden City  
Hertfordshire  
AL7 1ZR  
and Ian Cameron McDougall

Kingsway West  
Dundee  
(Tesco)

Bailie Wallace declared a non-financial interest by virtue of having a relative employed by the applicant.

The Board agreed to grant the above application.

(c) APPLICATION FOR PERMANENT TRANSFER - SECTION 25(1)(b)

1. Mohammed Adrees  
23 Baluniefield Road  
Dundee  
(Supersmart)

The Board agreed to grant the above application.

2. Auld Reekie Pub Co  
Belsize House  
Belsize Road  
Broughty Ferry  
Dundee  
and John Pearson

25/29 Cowgate  
Dundee  
(De Ja Vu)

Councillor Roberts declared a non-financial interest by virtue of having a relative employed by the applicant.

The Board agreed to grant the above application.

3. Belhaven Brewery Co Ltd  
Atrium House  
6 Back Walk  
Stirling  
FK8 2QA  
and Darren Young

8 Roseangle  
Dundee  
(Laings)

The Board agreed to grant the above application.

4. CMC Management Ltd  
95 Newlands Road  
Grangemouth  
FK3 8NT  
and Gary Colton

85/87 Commercial Street  
Dundee  
DD1 2AB  
(All Stars International)

The Board agreed to grant the above application.
5. Commercial Pub Company Limited c/o Belsize House
Belsize Road
Broughty Ferry
Dundee
DD5 1NF
and James Marr
127a/129 Perth Road
Dundee
DD1 4JD
(Taybridge Bar)

The Board agreed to grant the above application.

6. Groovefood Ltd
278B Blackness Road
Dundee
DD2 1RZ
and Elizabeth Murphy
1st Floor
59/61 Gellatly Street
Dundee
(Genna's)

The Board agreed to grant the above application.

7. Groovefood Ltd
278B Blackness Road
Dundee
DD2 1RZ
and Elizabeth Murphy
59/61 Gellatly Street
(DGround Floor)
Dundee
(Chambers)

The Board agreed to grant the above application.

8. Groovefood Ltd
278B Blackness Road
Dundee
DD2 1RZ
and Elizabeth Murphy
231/233 Clepington Road
Dundee
DD3 7UE
(The Centenary Bar)

The Board agreed to grant the above application.

9. Sabinah Tasneem Islam
104 Fintry Road
Dundee
(Costcutters)

The Board agreed to grant the above application.

10. Joseph Conroy
16 Victoria Road
Dundee
DD4 6EP
(Ladywell Tavern)

The Board agreed to grant the above application.

11. Justgeorge Dundee Limited
7 West Park Road
Dundee
DD2 1NU
and Michelle Georgesen
1/5 Albert Street
Dundee
(The Cask)

The Board agreed to grant the above application.
12. Jacqueline Leeland 37 Constitution Road Public House Dundee DD1 1LF (Voodoo Lounge)

The Board agreed to grant the above application.

<table>
<thead>
<tr>
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</thead>
<tbody>
<tr>
<td></td>
<td>Belsize House Belsize Road Broughty Ferry Dundee DD5 1NF and John Pearson</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Board agreed to grant the above application.

| 14. | News Station Tayside Ltd 20-22 Arbroath Road Off-Sale Dundee DD4 6EP (News Station) |
| and Hassan Khalid |

The Board agreed to grant the above application.

| 15. | Christine Ousby 140/142 Perth Road Public House Dundee (Art Bar) |

The Board agreed to grant the above application.

| 16. | Riverside Restaurants Ltd Kingsway Restaurant Dundee 15 Whitcomb Street (Little Chef Restaurant) London WC2H 7HA and Audrey S T Milne |

The Board agreed to grant the above application.

| 17. | Sovereign Hotels 296 Strathmore Avenue Hotel Dundee Unit 10, The Hawthorns DD3 6SH Hawthorn Lane (Your Hotels) Staunton Gloucester GL19 3NY and Jonathan Visona |

The Board agreed to grant the above application.

| 18. | T.G.P. (Dundee) Ltd Esplanade Restaurant The Glass Pavillion Broughty Ferry Dundee The Esplanade DD5 2EP and Christopher Lewis |

The Board agreed to grant the above application.
19. Linda A Townshend 100/102 Dens Road Dundee (Dens Road Superstore) Off-Sale

The Board agreed to grant the above application.

20. Trust Inns Limited 64/66 Bell Street Dundee Public House
   Blenheim House
   Foxhole Road
   Ackhurst Park
   Chorley
   PR7 1NY
   and Oliver H Lynn
   DD1 1HF (Thomsons Bar)

The Board agreed to grant the above application.

21. Tyne & Tay Taverns Ltd Balgarthno Road Dundee Public House
   14 West Terrace
   South Queensferry
   West Lothian
   EH30 9LL
   and Morag Reid
   (Gaiety)

The Board agreed to grant the above application.

22. Margo Wightman 106 Dura Street Dundee Off-Sale
    DD4 6TE (Stobswell Newsagents)

The Board agreed to grant the above application.

(d) APPLICATION FOR REGULAR EXTENSION OF PERMITTED HOURS

<table>
<thead>
<tr>
<th>Name</th>
<th>Address of Premises</th>
<th>Type of Licence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Apex Hotels Ltd</td>
<td>1 West Victoria Dock Road</td>
<td>Hotel</td>
</tr>
<tr>
<td>217 Gilmerton Road</td>
<td>Dundee</td>
<td></td>
</tr>
<tr>
<td>Edinburgh</td>
<td>DD1 3JP</td>
<td></td>
</tr>
<tr>
<td>EH16 5UD</td>
<td>(Apex City Quay Hotel and Spa)</td>
<td></td>
</tr>
<tr>
<td>and Marcus Kenyon</td>
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</tbody>
</table>

The Board agreed to grant the above application from 11pm until 12 midnight Mondays to Sundays, 11pm until 2.30am Mondays to Sundays in the function suites and 2.30pm until 6.30pm Sundays to cater for demand from tourists and visitors to the city.

2. Belhaven Brewery Co Ltd 218 Queen Street Dundee Public House
   Atrium House
   6 Back Walk
   Stirling
   FK8 2QE
   and Mark Woods
   Broughty Ferry
   Dundee
   (Post Office Bar
   (Upper Floor Function Suite))

The Board agreed to grant the above application from 11pm to 1am on Mondays to Sundays and 2.30pm to 6.30pm Sundays for private functions only.
3. Belhaven Brewery Co Ltd  Atrium House 6 Back Walk  Stirling  FK8 2QE  and Darren Young

8 Roseangle Public House Dundee (Laings)

The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays for social circumstances of locality.

4. Alistair George Bissell  22/24 Polepark Road  Dundee  DD1 5QS  (Bissell's Bar)

The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays for the convenience of shiftworkers and for local demand.

5. Broomvale Ltd  t/a Gulistan House  Queen Street  Broughty Ferry  Dundee  (Gulistan Restaurant)
and Munsif Ali Mohammed

The Board agreed to grant the above application from 11pm to 2am Mondays to Sundays and 2.30pm to 6.30pm Sundays for the benefit of shiftworkers, tourists, etc.

6. Broughty Ferry Club  5 St Vincent Street  Broughty Ferry  Dundee  (The Broughty Ferry Club)
and Robert Jack Ramsay

The Board agreed to grant the above application from 11pm to 1am Mondays to Sundays and 2.30pm to 6.30pm on Sundays for the benefit of club members and guests.

7. Call A Keg Ltd  Belsize House  Belsize Road  Broughty Ferry  Dundee

1 Claverhouse Old Road Public House Dundee (Mains of Claverhouse)

The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays for shoppers, shiftworkers and tourists.

8. Chopstix Express (UK) Ltd  12 St Andrew's Street  Dundee  DD1 2EX  (Chopstix)
and Yiu Man Chow

The Board agreed to grant the above application from 11pm to 2.30am Mondays to Sundays to cater for local demand and tourists.
16

9. Club 83
5/7 St Salvador Street
Dundee
DD3 7EW
and Iain F McCarle

The Board agreed to grant the above application from 11pm to 1am Mondays to Saturdays and 11am to 12.30pm, 2.30pm to 6.30pm and 11pm to 12 midnight Sundays for shiftworkers, meetings and for the benefit of members.

10. Commercial Pub Co Ltd
Balmoral Terrace
Dundee
(Commercial Pub Co Ltd)

The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays, 11am to 12.30pm and 2.30pm to 6.30pm Sundays for members who work shifts for inter-club competitions.

11. Downfield Football Club
Balgowan Avenue
Dundee
Downfield Football Club Social Club
Balgowan Avenue
Dundee
DD3 0JB
and Theresa Logie

The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 11am to 12.30pm and 2.30pm to 6.30pm Sundays to meet the changing patterns of members working hours and in particular shiftworkers.

12. Sharon Doyle
161 South Road
Lochee
Dundee
(The Planet)

The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays to meet the need in the locality and for the benefit of the community.

13. John M Dryburgh
Camperdown Leisure Complex
Kingsway West
Dundee
(Dundee Ice Arena)

The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays for skaters, curlers, ice hockey participants and patrons of the Ice Arena.
14. Dundee Indoor Bowling Club
   15 Miln Street
   Dundee
   DD1 5BZ
   and James Allison

   The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Thursdays, 11pm to 1am Fridays and Saturdays and 11.30am to 12.30pm and 2.30pm to 6.30pm Sundays for bowling competitions and social evenings.

15. Dundee Social Club
   Thistle Street
   Dundee
   DD3 7RF
   and Dorothy Kennedy

   The Board agreed to grant the above application from 11pm to 12 midnight on Mondays to Sundays and 2.30pm to 6.30pm on Sundays for general entertainment facilities for members and guests, games room facilities and bingo.

16. Dennis T Gallacher
   39 Union Street
   Dundee
   (Angus Bar/Rendezvous)

   The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays for shiftworkers, general public dancing and live entertainment.

17. Groovefood Ltd
   278B Blackness Road
   Dundee
   DD2 1RZ
   and Elizabeth T Murphy

   The Board agreed to grant the above application from 11pm until 12 midnight Mondays to Sundays and 2.30pm until 6.30pm Sundays for the benefit of shiftworkers and tourists and from 11pm until 1am on Fridays, Saturdays and Sundays in the function suite for private functions only.

18. Stephen E Harrod
   3 Old Quarry Road
   Off Ballumbie Road
   Dundee
   DD4 0SY
   (Ballumbie Castle Golf Club)

   The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays for the benefit of tourists, members and guests, tournaments and functions.

19. Francis Hendry
   City Square
   Dundee
   (Caird Hall)

   The Board agreed to grant the above application from 11pm to 1am Mondays to Saturdays and 11pm to 12 midnight Sundays for functions, concerts and entertainment for the benefit of public and the locality.
20. Stuart William Hill
214 Broughty Ferry Road
Dundee
(The Tayview Hotel)

The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays for visitors, tourists, shiftworkers and local demand.

21. Hillcrest Bowling Club
372 Blackness Road
Dundee
DD2 1SF
(Hillcrest Bowling Club)

The Board agreed to grant the above application from 10am to 11am and 11pm to 12 midnight Mondays to Saturdays, 11am to 12.30pm and 2.30pm to 6.30pm and 11pm to 12 midnight Sundays for the benefit of touring teams, shiftworkers and competitions.

22. Leon J Hunter
51/53 Meadowside
Dundee
(Satchmo's
(including basement))

The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays for provision of refreshments to existing clientele.

23. Tariq Ishaq
24 Castle Street
Dundee
(The Shehzad)

The Board agreed to grant the above application from 11pm to 1am Mondays to Saturdays to allow customers to have drink with their meal.

24. Jahangir (Dundee) Ltd
3 Session Street
Dundee
DD1 5DN
(Cabinet Mondo)

The Board agreed to grant the above application from 11pm until 2.30am Mondays to Sundays for the convenience of local residents, shiftworkers and students.

25. Jahangir (Dundee) Ltd
1 Session Street
Dundee
DD1 5DN
(Mondo)

The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays for the benefit of shiftworkers and tourists.

26. Jimmy Chungs (Dundee) Ltd
7/9 Whitehall Street
Dundee
AB10 6DL

The Board agreed to grant the above application from 12 noon to 12.30pm and 2.30pm to 6.30pm Sundays for the benefit of patrons partaking in a meal.
27. Theresa Johnston
   Ground Floor
   34 Commercial Street
   Dundee
   (Alley Catz)

From 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays for the benefit of shoppers, shiftworkers and tourists etc.

28. Theresa Johnston
   2/2
   183 Clepington Road
   Dundee
   DD3 7TA

From 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays for the benefit of shiftworkers, shoppers, tourists etc.

29. Jute City Projects Ltd
    Castlecroft Business Centre
    Tom Johnson Road
    Broughty Ferry
    Dundee
    DD4 8XD

   and James McCash

The Board agreed to grant the above application from 11pm to 2.30am Mondays to Sundays to cater for late night entertainment.

30. Keillor Foods Ltd
    Unit 8 Staffa Place
    Dundee
    DD2 3SX

    and John Hume

The Board agreed to grant the above application from 2.30pm until 6.30pm Sundays for the benefit of tourists and travellers.

31. James S Kidd
    117 Strathmartine Road
    Dundee
    DD3 7SD

    (Frews Bar)

The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays to satisfy existing demand and the benefit of the community.

32. Cecilia Kuan
    40/44 South Tay Street
    Dundee
    (Mandarin Garden)

The Board agreed to grant the above application from 11pm to 11.30pm Sundays to Thursdays and 11pm to 1am Fridays and Saturdays for the convenience of late diners.

33. Jacqueline Leeland
    37 Constitution Road
    Dundee
    DD1 1LF

    (Voodoo Lounge)

The Board agreed to grant the above application from 2.30pm to 6.30pm Sundays to cater to social demand.
34. Lochee Bowling Club
5 Muirton Road
Lochee
Dundee
DD2 2JN
and Harry Heggie

The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 10am to 12.30pm and 2.30pm to 6.30pm Sundays for extending hospitality to visiting bowlers and social activities in late season and winter.

35. Lochee Sports Social Club
185 High Street
Lochee
Dundee
and Andrew Orchardson
68 Eastwell Road
Dundee

From 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays for the benefit of shiftworkers and members.

36. Lodge Forfar and Kincardine
12 Blackness Avenue
Dundee
DD2 1EH
and Ian P Roache

The Board agreed to grant the above application from 11pm to 1am Fridays and Saturdays for masonic functions and dances.

37. Jumpin Jaks
41 King Street
Luton
and Victoria Shields

From 11pm to 2.30am Mondays to Sundays for late night entertainment and local demand.

The Board having heard from an agent on behalf of the applicant agreed to defer the above application to the Adjourned Board.

38. Karen Marr
Belsize House
Belsize Road
Broughty Ferry
Dundee
DD5 1NF
and John Pearson

The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays for shiftworkers and local demand.

39. John McHugh
FF3 Old Mill Complex
Brown Street
Dundee

The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays for snooker players, members and guests and the benefit of the locality.
The Board agreed to grant the above application from 10am until 11am Mondays to Saturdays, 10am until 12.30pm and 2.30pm until 6.30pm Sundays and Mondays to Sundays 11pm until 12midnight to cater for patrons attending bingo sessions.

The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays for the benefit of the community, shiftworkers, satellite TV and pub games.

The Board agreed to grant the above application from 2.30pm to 6.30pm Sundays for the benefit of patrons partaking of meals.

From 11pm to 12 midnight Monday to Sunday and 2.30pm to 6.30pm Sunday for the benefit of shiftworkers, tourists etc.

The Board agreed to defer the above application to the Adjourned Board.

The Board agreed to grant the above application from 11pm to 12 midnight Fridays and Saturdays and 2.30pm to 6.30pm Sunday to cater for patrons attending the cinema.
46. Christine Ousby  
   140/142 Perth Road  
   Dundee  
   (Art Bar)  

The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays for the benefit of customers.

47. Park Developments (Dundee) Ltd  
   40 Coupar Angus Road  
   Dundee  
   DD2 3HY  
   (Park House Hotel)  
   Broughty Ferry  
   Dundee  
   and Gillian Wright  

The Board agreed to grant the above application from 10am to 11am Monday to Saturday, 11pm to 1am Monday to Sunday and 2.30pm to 6.30pm Sundays for funerals, functions and for the benefit of shiftworkers and tourists.

48. Patmor Ltd  
   3 Kerse Lane  
   Falkirk  
   FK1 1RJ  
   and Irene L Swindell  

The Board agreed to grant the above application from 10am to 11am Mondays to Saturdays, 11pm until 7am Mondays to Sundays and 10am to 12.30pm and 2.30pm until 6.30pm Sundays to meet the public demand for gaming.

49. Brian Penman  
   92 Fintry Road  
   Dundee  
   DD4 9EZ  
   (The Dolphin)  

The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays and 11pm to 1am Mondays to Sundays in the function suite only.

50. Pigalle Entertainments Ltd  
   c/o Brunton Miller  
   31 South Ward Road  
   Dundee  
   (Fat Sams)  

The Board agreed to grant the above application from 11pm to 3.30am Mondays to Sundays ancillary to entertainment provided.

51. Pizza Hut (UK) Ltd  
   1 Imperial Place  
   Eilstree Way  
   Borehamwood  
   Herts  
   WD6 1JN  
   and Wendy J Naylor  

The Board agreed to grant the above application from 11am to 12.30pm and 2.30pm to 6.30pm Sundays to cater for shoppers visiting the retail park.
52. Pizza Hut (UK) Ltd
1 Imperial Place
Elstree Way
Borehamwood
Herts
WD6 1JN

and Theresa Daly

The Board agreed to grant the above application from 11am to 12.30pm and 2.30pm to 6.30pm Sundays to provide a service for city centre shoppers and local demand.

53. Qudos Leisure Ltd
t/a Taza
Unit 1, City Quay
Camperdown Street
Dundee
DD1 3JA

and Vaseem Salimi

The Board agreed to grant the above application from 11pm to 1am Mondays to Sundays and 2.30pm to 6.30pm Sundays for the benefit of shiftworkers and tourists.

54. Redwood Leisure Ltd
Suite B, Dunsinane House
Kilsipndie Road
Dundee
DD2 3PW

and Tracy A Wares

The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays to satisfy the needs of patrons customers and residents/visitors to the neighbourhood and to benefit the local community as a whole by the provision of an extended hours service.

55. McGurty Pubs Ltd
and Mark J McGurty

The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays for the benefit of shoppers and shiftworkers.

56. Riverside Restaurants Ltd
15 Whitcomb Street
London
WC2H 7HA

and Audrey S T Milne

The Board agreed to grant the above application from 2.30pm to 6.30pm Sundays to provide travellers and tourists with Sunday lunch and to meet local demand to provide refreshments to tourists.

57. George R Shields

The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays due to the social circumstances of the locality.
The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays for social demand for residents, tourists and local workers.

59. Tayside Tavens Ltd
1 Primrose Hill
Preston
Dundee
and Beverley McKenzie
South Ward Road
Dundee
(Mardi Gras)
Entertainment
The Board having heard from an agent on behalf of the applicant agreed to grant the above application to January 2008 from 11pm to 2.30am Mondays to Sundays for the benefit of patrons attending late night entertainment at the subjects.

60. The Ferry Club
217 Brook Street
Broughty Ferry
Dundee
DD5 2AG
(The Ferry Club)
and Harry Milne
217 Brook Street
Broughty Ferry
Dundee
DD5 2AG
(The Ferry Club)
Club
The Board agreed to grant the above application from 11pm to 12 midnight Sundays to Thursdays, 11pm to 1am Fridays and Saturdays and 2.30pm to 6.30pm on Sundays for recreational facilities, social functions, and competitions for members and guests.

61. The Firm of Michael Strachan
and Robert J Colston
and Michael Strachan
167/169 Brook Street
Dundee
DD1 5BJ
(Beiderbecks Bistro)
Public House
The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays for the benefit of shiftworkers students and patrons in the restaurant.

62. Trust Inns Ltd
Blenheim House
Foxhole Road
Ackhurst Park
Chorley
PR7 1NY
and Oliver H Lynn
64/66 Bell Street
Dundee
DD1 1HF
(Thomsons Bar)
Public House
From 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays for the benefit of tourists and shiftworkers.

63. University of Abertay Dundee
Students' Centre
Dundee
Bell Street
DD1 1HG
Bell Street
Dundee
New Students' Centre
(Tom Monty's)
and William C Blackstock
Bell Street
Dundee
DD1 1HG
Club
The Board agreed to grant the above application from 11pm to 2.30am Mondays to Sundays and 2.30pm to 6.30pm Sundays for association functions, club events, discos, dances etc.
The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays for social demand.

65. Sandra Young

Constable Street
Dundee
(Smugglers)

The Board agreed to grant the above application from 11pm to 12 midnight Mondays to Sundays and 2.30pm to 6.30pm Sundays to cater for local demand.

(e) APPLICATION FOR MUSICAL ENTERTAINMENT CONSENT

<table>
<thead>
<tr>
<th>Name</th>
<th>Address of Premises</th>
<th>Type of Licence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Christopher Airlie</td>
<td>17 Arklay Street, Dundee DD3 7LH</td>
<td>Public House</td>
</tr>
<tr>
<td></td>
<td>Troll Inn</td>
<td></td>
</tr>
</tbody>
</table>

Jukebox and karaoke Mondays to Saturdays 11am to 12 midnight and Sundays 12.30pm to 11.30pm.

The Board having heard from an agent on behalf of the applicant agreed to defer the above application to the Adjourned Board.

2. Carol Black

52/62 Fort Street, Dundee (The Fort Hotel (including Beer Garden))

The Board agreed to grant the above application for karaoke, disco, live music during permitted hours for three months.

3. Jacqueline Leeland

37 Constitution Road, Dundee DD1 1LF (Voodoo Lounge)

The Board agreed to grant the above application for tv set, juke box, disco, instrumental groups, vocalists and karaoke during permitted hours for three months.

4. Redwood Leisure Ltd

Suite B, Dunsinane House Kilsipinle Road, Dundee DD2 3PW

and John Marr Rollo

168 Arbroath Road, Dundee (The Boars Rock)

Public House

The Board agreed to grant the above application for tv set, automatic music system, jukebox, disco, karaoke during permitted hours for three months.
5. Redwood Leisure Ltd
   Suite B, Dunsinane House
   Kilspindie Road
   Dundee
   DD2 3PW
   and Tracy A Wares

The Board agreed to grant the above application for TV set, automatic music system, jukebox, disco, karaoke during permitted hours for three months.

6. Redwood Leisure Ltd
   Suite B, Dunsinane House
   Kilspindie Road
   Dundee
   DD2 3PW
   and Patricia Anderson

The Board agreed to grant the above application for TV set, automatic music system, jukebox, disco, karaoke during permitted hours for three months.

7. Graeme B Squire
   1 Linfield Street
   Dundee
   DD4 8LJ
   (Tony's Takeaway and Restaurant)

The Board agreed to grant the above application for background music, disco, karaoke, TV set, automatic music system, jukebox and instrumental groups (maximum of 6 artistes) during permitted hours for three months.

(f) APPLICATION FOR CHILDREN'S CERTIFICATE

<table>
<thead>
<tr>
<th>Name</th>
<th>Address of Premises</th>
<th>Type of Licence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. David A Miller</td>
<td>70 Logie Street</td>
<td>Public House</td>
</tr>
<tr>
<td></td>
<td>Lochee</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Dundee</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DD2 2QW</td>
<td>(Logie Bar)</td>
</tr>
</tbody>
</table>

The Board having heard from an officer from Environmental Health and Trading Standards and the applicant on their own behalf agreed to defer the above application to the Adjourned Board.

2. Park Developments (Dundee) Ltd
   Belsize House
   Belsize Road
   Broughty Ferry
   Dundee
   40 Coupar Angus Road
   DD2 3HY
   and Gillian Wright
   (Park House Hotel)

The Board agreed to grant the above application from 12 noon to 8pm Mondays to Saturdays and 12.30 pm to 8pm Sundays in the Dining and Function Rooms only.
3. Tay Hotels Limited 51 Gray Street Hotel
   51 Gray Street Broughty Ferry
   Broughty Ferry DUNDEE
   Dundee (Jolly's Hotel)
   and John Don Adams

The Board agreed to defer the above application to the Adjourned Board.

(g) APPLICATION FOR GRANT (INCLUDING PROVISIONAL GRANT) OF LICENCE

<table>
<thead>
<tr>
<th>Name</th>
<th>Address of Premises</th>
<th>Type of Licence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dock Street (Licence) Ltd</td>
<td>42 Dock Street</td>
<td>Public House (Provisional (26/2))</td>
</tr>
<tr>
<td>292 St Vincent Street</td>
<td>Dundee</td>
<td></td>
</tr>
<tr>
<td>Glasgow</td>
<td>(Public House)</td>
<td></td>
</tr>
<tr>
<td>G2 5TQ</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Board agreed to grant the above application.

2. McLeish Brothers Ltd 16-18 Whitehall Street Off-Sale (New Licence)
   3 Trades Lane Dundee
   Dundee (McLeish)
   DD1 3EW
   and Alexander D Willocks

The Board agreed to grant the above application.

3. Noor Mohammed 88 Fintry Road Off-Sale (New Licence)
   Dundee
   DD4 9EZ (Pricecracker Plus)

The Board agreed to grant the above application.

4. Northwind Leisure Old Glamis Road Public House (Provisional (26/1))
   (Dundee) Ltd Dundee
   25 Sandyford Place (Land North of
   Sauchiehall Street Dick McTaggart Sports)
   Glasgow G3 7NG
   and Barry McDermott

The Board having heard from objectors, the Board's legal adviser, an agent on behalf of the applicant and accepted a late objection agreed to defer the above application to the Adjourned Board.
V  GAMBLING ACT 2005

(a)  APPLICATION FOR GAMING LICENCE

<table>
<thead>
<tr>
<th>Name</th>
<th>Address of Premises</th>
<th>Type of Licence</th>
</tr>
</thead>
<tbody>
<tr>
<td>Gala Casinos Ltd</td>
<td>Earl Grey Place</td>
<td>Entertainment</td>
</tr>
<tr>
<td>Glebe House</td>
<td>Dundee</td>
<td></td>
</tr>
<tr>
<td>Vicarage Drive</td>
<td>DD1 4DE</td>
<td></td>
</tr>
<tr>
<td>Barking</td>
<td>(Gala Casino Dundee)</td>
<td></td>
</tr>
<tr>
<td>Essex</td>
<td>IG11 7NS</td>
<td></td>
</tr>
</tbody>
</table>

The Board agreed to grant the above application.

VI  GAMBLING ACT 1968

(a)  APPLICATION FOR RENEWAL OF AMUSEMENTS WITH PRIZES

<table>
<thead>
<tr>
<th>Name</th>
<th>Address of Premises</th>
<th>Number of Machines</th>
</tr>
</thead>
<tbody>
<tr>
<td>Colin J Freeman</td>
<td>1/5 Rosefield Street</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Dundee</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(Balgayhill Bar)</td>
<td></td>
</tr>
</tbody>
</table>

The Board agreed to grant the above application.

2. Brian Penman

<table>
<thead>
<tr>
<th>Name</th>
<th>Address of Premises</th>
<th>Number of Machines</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>92 Fintry Road</td>
<td>2</td>
</tr>
<tr>
<td></td>
<td>Dundee</td>
<td></td>
</tr>
<tr>
<td></td>
<td>DD4 9EZ</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(The Dolphin)</td>
<td></td>
</tr>
</tbody>
</table>

The Board agreed to grant the above application.

3. Bruce Carrigan Wilkie

<table>
<thead>
<tr>
<th>Name</th>
<th>Address of Premises</th>
<th>Number of Machines</th>
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</thead>
<tbody>
<tr>
<td></td>
<td>Tayside Truck Stop</td>
<td>1</td>
</tr>
<tr>
<td></td>
<td>Smeaton Road</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Wester Gourdie</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Industrial Estate</td>
<td></td>
</tr>
<tr>
<td></td>
<td>(Last Drop)</td>
<td></td>
</tr>
</tbody>
</table>

(b)  APPLICATION FOR AMUSEMENTS WITH PRIZES

<table>
<thead>
<tr>
<th>Name</th>
<th>Address of Premises</th>
<th>Number of Machines</th>
</tr>
</thead>
<tbody>
<tr>
<td>CMC Management Ltd</td>
<td>85/87 Commercial Street</td>
<td>2</td>
</tr>
<tr>
<td>95 Newlands Road</td>
<td>Dundee</td>
<td></td>
</tr>
<tr>
<td>Grangemouth</td>
<td>DD1 2AB</td>
<td></td>
</tr>
<tr>
<td>FK3 8NT</td>
<td>(All Stars International)</td>
<td></td>
</tr>
<tr>
<td>and Gary Colton</td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

The Board agreed to grant the above application.
2. Justgeorge Dundee Ltd
   7 West Park Road
   Dundee
   DD2 1NU
   and Michelle Georgesen
   1/5 Albert Street
   Dundee
   (The Cask)

The Board agreed to grant the above application.

3. Jacqueline Leeland
   37 Constitution Road
   Dundee
   DD1 1LF
   (Voodoo Lounge)

The Board agreed to grant the above application.

Lord Provost John R LETFORD, Convener
At a HEARING of the **DUNDEE CITY LICENSING BOARD** held at Dundee on 18th October, 2007.

Present:-

Lord Provost John R LETFORD

**BAILIES**

George REGAN

Roderick A J WALLACE

**COUNCILLORS**

Kevin KEENAN

Helen DICK

Kenneth GUILD

Brian GORDON

Christina ROBERTS

Lord Provost John R LETFORD, Convener, in the Chair.

**I SECTION 31 HEARINGS**

(i) **EDWARD SUN WONG LOU, 17 BALMORAL TERRACE - SUMMER PALACE TWO**

The Board, having heard from the Chief Constable's representative and an agent on behalf of the licensee agreed to issue a warning but take no further action.

(ii) **KHALID MAHMOOD, 82 BALLINDEAN ROAD - FAIR DEAL STORES**

The Board agreed to defer the above hearing to a later date.

(iii) **IAN McGEOGHIE AND JANE BANBURY, 16 DOCK STREET - LENNON'S**

The Board having heard from the Director of Leisure and Communities representative and an agent on behalf of the licensees agreed to take no further action.

**II SECTION 32 HEARING**

(i) **GERALDINE STEWART - 27 GRAY STREET, BROUGHTY FERRY - THE FERRY INN**

The Board, having heard from the complainant, a representative of the licensee and the Board's legal adviser, agreed to take no further action.
At a MEETING of the LICENSING COMMITTEE held at Dundee on 1st November, 2007.

Lord Provost John R LETFORD

BAILIES

Roderick A J WALLACE

COUNCILLORS

Laurie BIDWELL  Helen DICK  Andrew DAWSON

Tom FERGUSON  Stewart HUNTER

Lord Provost John R LETFORD, Convener, in the Chair.

The minute of meeting of this Committee of 27th September, 2007 was held as read.

Unless marked thus * all items stand delegated.

I  MINUTE OF MEETING OF LICENSING SUB-COMMITTEE

The minute of meeting of the Licensing Sub-Committee held on 27th September was submitted and noted for information and record purposes, a copy of which is attached to this minute as Appendix I.

II  MINUTES OF MEETINGS OF THE TAXI LIAISON GROUP

The minutes of meetings of the Taxi Liaison Group held on 13th September and 17th October 2007 were submitted and noted for information and record purposes, copies of which are attached to this minute as Appendices II and III.

III  CIVIC GOVERNMENT (SCOTLAND) ACT, 1982

(a)  LATE HOURS CATERING LICENCE - NEW APPLICATIONS

There were submitted the undernoted applications.

<table>
<thead>
<tr>
<th>No</th>
<th>Name</th>
<th>Address of Premises</th>
<th>Hours of Opening</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Areeg Al Khajafi</td>
<td>The Istanbulie 1 Union Street</td>
<td>From 11pm to 2.30am Mondays to Sundays</td>
</tr>
<tr>
<td>2</td>
<td>Mohammed Hussain</td>
<td>Chachies 290 Hilltown</td>
<td>From 11pm to 1am Sundays to Thursdays and 11pm to 2am Fridays and Saturdays</td>
</tr>
</tbody>
</table>

In the case of application number 1, there being no objections, the Committee agreed that the application be granted.

In the case of application number 2, the Committee noted that this application had been deferred from the meeting held on 27th September, 2007 to allow the applicant to attend. The Committee also noted that a condition of the planning consent stated that no use shall be made of the premises before 9 am or after 10 pm on any day of the week. Thereafter having heard the Clerk and the applicant on their own behalf the Committee noted the decision of the applicant to withdraw the application from consideration.
(b) PRIVATE HIRE DRIVER'S LICENCE - NEW APPLICATIONS

There were submitted the undernoted applications.

<table>
<thead>
<tr>
<th>No</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Ian Malcolm</td>
</tr>
<tr>
<td>2</td>
<td>Marc Luettedze</td>
</tr>
</tbody>
</table>

In the case of application number 1, there being no objections, the Committee agreed that the application be granted.

In the case of application number 2, the Committee noted the applicant had failed to pass the police knowledge test within the prescribed period and agreed that the application be refused.

(c) PRIVATE HIRE OPERATOR'S LICENCE - NEW APPLICATIONS

There being no objections, the Committee agreed that the undernoted applications be granted.

<table>
<thead>
<tr>
<th>No</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Brian Barr</td>
</tr>
<tr>
<td>2</td>
<td>David Glen</td>
</tr>
<tr>
<td>3</td>
<td>M &amp; A McHardy/Murray McHardy</td>
</tr>
</tbody>
</table>

(d) PUBLIC ENTERTAINMENT - NEW APPLICATION

The Lord Provost declared a non-financial interest in the undernoted application by virtue of the Lord Provost's Charity Fund being a benefactor from proceeds from the event.

There being no objections, the Committee agreed that the undernoted application be granted.

<table>
<thead>
<tr>
<th>No</th>
<th>Name</th>
<th>Address of Premises</th>
<th>Hours of Opening</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Charles Horne</td>
<td>City Centre</td>
<td>30th, 31st December 2007 and 1st, 2nd January 2008, from 10am to 9pm.</td>
</tr>
</tbody>
</table>

(e) SECOND HAND DEALER'S LICENCE - NEW APPLICATIONS

There being no objections, the Committee agreed that the undernoted applications be granted.

<table>
<thead>
<tr>
<th>No</th>
<th>Name</th>
<th>Address of Premises</th>
<th>Address of Premises</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Blockbusters Entertainment Ltd / Sarah MacLean</td>
<td>Blockbuster 223 Albert Street</td>
<td>DVD'S, Videos, Computer Games, Consoles and Accessories</td>
</tr>
<tr>
<td>2</td>
<td>Blockbusters Entertainment Ltd / Carolin Briggs</td>
<td>Blockbuster 302 Brook Street</td>
<td>DVD'S, Videos, Computer Games, Consoles and Accessories</td>
</tr>
<tr>
<td>3</td>
<td>Blockbusters Entertainment Ltd / Andrew Gillies</td>
<td>Blockbuster 34 Claypotts Road, B/Ferry</td>
<td>DVD'S, Videos, Computer Games, Consoles and Accessories</td>
</tr>
</tbody>
</table>
(f) LICENSING OF SKIN PIERCING AND TATTOOING ORDER 2006 - NEW APPLICATIONS

There being no objections, the Committee agreed that the undernoted applications be granted.

<table>
<thead>
<tr>
<th>No</th>
<th>Name</th>
<th>Address of Premises</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Claire-Louise Green</td>
<td>Ink Demons 42-44 Castle Street</td>
</tr>
<tr>
<td>2</td>
<td>Mary Sharkey</td>
<td>The Sunflower Room 20 South Tay Street</td>
</tr>
</tbody>
</table>

(g) STREET TRADERS - NEW APPLICATIONS

There being no objections, the Committee agreed that the undernoted applications be granted.

<table>
<thead>
<tr>
<th>No</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Derek Braid</td>
</tr>
<tr>
<td>2</td>
<td>Neil Cameron</td>
</tr>
</tbody>
</table>

(h) APPROVED LIST OF ACCESSIBLE VEHICLES - ADDITIONS TO LIST

It was reported that the Peugeot E7S presented by Cabs Direct had been assessed by the Plant & Vehicle Officer and the Cabs Enforcement Officers and that having received the appropriate certification, they had recommended that the vehicle be added to the list of accessible vehicles subject to a four point securing system being installed.

The Committee agreed that the vehicle be added to the list of accessible vehicles subject to a four point screening system being installed.

(i) TAXI DRIVER’S LICENCE - NEW APPLICATIONS

There being no objections, the Committee agreed that the undernoted applications be granted.

<table>
<thead>
<tr>
<th>No</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Gary Craddock</td>
</tr>
<tr>
<td>2</td>
<td>Stewart Malcolm</td>
</tr>
</tbody>
</table>

(j) TAXI DRIVER’S LICENCE - RENEWAL

There being no objections, the Committee agreed that the undernoted application be granted.

<table>
<thead>
<tr>
<th>No</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Adrian Wilkie</td>
</tr>
</tbody>
</table>

(k) TAXI OPERATORS LICENCE - NEW APPLICATIONS

There being no objections, the Committee agreed that the undernoted applications be granted.

<table>
<thead>
<tr>
<th>No</th>
<th>Name</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Ian Bain</td>
</tr>
</tbody>
</table>
No Name
1 Russell McKenzie
2 Clive Sayers

(m) HOUSES IN MULTIPLE OCCUPATION - NEW APPLICATIONS

There were submitted the undernoted applications.

No Name Address
1 John B Cape 5 Larch Street
2 John B Cape 21 Gowrie Street
3 Richard M & Elaine W Bailey 3/2, 250J Blackness Road
4 Grant Residential Properties Ltd/ Peter Grant 2/0, 2 North George Street
5 Lucy Sharp 3/1, 11E Sandeman Street
6 Avril Morrice 1/0, 1C Raglan Street
7 Calum J M Imray 35 Taylors Lane
8 John S Reavley 34 Blyth Street
9 Brian Walker G/1, 21 Scott Street
10 Whitehall Properties/Alasdair MacLeod Attic, 32 Union Street
11 Grant Residential Property Ltd /Peter Grant Flat 2, 100 Victoria Road
12 Aileen Milne Top Left, Garland Place, 6 Barrack Road
13 Frank E & Anna L Martin 1 Argyle Place, Thomson Street
14 Bryan Murray 1/2, 166 Perth Road
15 Fiona M Grant Flat 1, 207 Perth Road
16 Scott Campbell Flat 1, Magnum House, 138 Seagate
17 GRL Properties Ltd Courthouse Apartments, 9 Johnston Street
18 GRL Properties Ltd Courthouse Apartments, 18 Johnston Street
19 GRL Properties Ltd Courthouse Apartments, 19 Johnston Street
20 GRL Properties Ltd Courthouse Apartments, 20 Johnston Street
21 GRL Properties Ltd Courthouse Apartments, 21 Johnston Street

(l) WINDOW CLEANER’S LICENCE - NEW APPLICATION

There being no objections, the Committee agreed that the undernoted applications be granted.
Councillor Helen Dick declared a non-financial interest in application numbers 1 and 2 by virtue of the applicant being known to her in a personal capacity and left the chamber during their consideration. Councillor Helen Dick re-entered the Chamber prior to consideration of application number 3.

In the case of application numbers 1 to 10, the Committee, having heard a representative of the Housing Department, agreed that the applications be granted.

In the case of application number 11, the Committee, having heard a representative of the Housing Department, an agent on behalf of the applicant and consideration of the advice of the Legal Officer, agreed that the application be granted subject to a fire inspection being carried out to the satisfaction of Tayside Fire and Rescue.
In the case of application number 12, the Committee, having heard a representative on behalf of the applicant, and consideration of a letter of support which had been tabled by the representative on behalf of the applicant and consideration of the advice of the Legal Officer, agreed that the application be refused.

In the case of application number 13, the Committee, having heard the applicant on their own behalf and consideration of the advice of the Legal Officer, agreed to note that to date there had been no difficulties with arrangement for day to day manager at this location and that monitoring of arrangements continue and that an update be presented to the Committee in six months time.

In the case of application numbers 14 to 50, the Committee agreed that consideration of these applications be deferred to a future meeting of the Committee.

(n) HOUSES IN MULTIPLE OCCUPATION - REQUESTS FOR VARIATION

There were submitted the undernoted requests for variation.

1. A request for variation had been received for 25 Thorter Row to change day to day manager to Carol Whyte.

2. A request for variation had been received for 4a Shaftesbury Road to change day to day manager to Jack Reavley.

3. A request for variation had been received for 2nd Floor Flat, 14 Union Street to change day to day manager to Blackadders Property Manager.

There being no objections, the Committee agreed that the requests for variation be granted.

The Committee resolved under Section 50(A)(4) of the Local Government (Scotland) Act 1973 that the press and public be excluded from the meeting for the undernoted items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 3, 6 and 9 of Part I of Schedule 7A of the Act.

IV CIVIC GOVERNMENT (SCOTLAND) ACT, 1982

(a) HOUSE IN MULTIPLE OCCUPATION - NEW APPLICATIONS

There were submitted seven applications by Mr S C for Houses in Multiple Occupation Licences. The Committee noted that these applications had been withdrawn from consideration and would be submitted to a future meeting of the Committee.

(b) HOUSES IN MULTIPLE OCCUPATION - REQUESTS FOR VARIATION

There were submitted two requests for variations by Mr S C for properties being operated as houses in multiple occupation.

The Committee agreed that consideration of these matters be deferred to a future meeting of the Committee.

(c) TAXI DRIVER’S - SUSPENSION HEARING

(i) There was submitted a letter of information relative to the conduct of Mr D C during the currency of his Taxi Driver’s Licence.

The Committee gave consideration to the content of the letter and after having heard an officer from Trading Standards, the applicant on their own behalf, and consideration of the advice of the Legal Officer, agreed that further consideration of the matter be deferred pending confirmation being received that the licence holder had paid fixed penalties referred to in submission.
(ii) There was submitted a letter of information relative to the conduct of Mr G R during the currency of his Taxi Drivers Licence. The Committee noted that consideration of the matter had been deferred from the previous Committee of 16th August 2007 to allow payment of a fixed penalty notice to be made.

The Committee noted that the applicant was not present and agreed that the matter be considered in their absence. Thereafter the Committee gave consideration to the content of the letter and having heard the Trading Standards Officer and the Legal Officer and having received confirmation that no payment had been received to date, agreed that the Taxi Driver's Licence, held by Mr G R be suspended for the unexpired portion until May 2008.

(d) TAXI DRIVER’S LICENCE - SUSPENSION HEARINGS

(i) There was submitted a letter of information from the Chief Constable relative to the conduct of Mr G D during the currency of his Taxi Driver's Licence.

The Committee gave consideration to the content of the letter and after having heard an agent on behalf of the applicant and a representative of the Chief Constable and receiving confirmation that no proceedings had been taken on the allegation, agreed that no further action be taken.

(ii) There was submitted a letter of information by the Chief Constable relative to the alleged conduct of Mr K M during the currency of his Taxi Driver's Licence.

The Committee gave consideration to the content of the letter and having heard an agent on behalf of the applicant, and a representative of the Chief Constable and consideration of the advice of the Legal Officer, agreed that no further action be taken and that the licence holder be issued with a warning.

(e) TAXI LICENCE - RENEWALS

(i) There was submitted an application by Mr G D for renewal of his Taxi Licence.

The Committee gave consideration to a letter of objection which had been submitted by the Chief Constable relative to his application. Thereafter, the Committee having heard an agent on behalf of the applicant, and a representative of the Chief Constable and consideration of the advice of the Legal Officer, agreed that the application be granted.

(ii) There was submitted an application by Mr K M for renewal of his Taxi Licence.

The Committee gave consideration to a letter of representation which had been submitted by Tayside Police relative to this application. Thereafter, the Committee having heard an agent on behalf of the applicant, a representative of the Chief Constable and consideration of the advice of the Legal Officer, agreed that the application be granted.

Lord Provost John R LETFORD, Convener.
APPENDIX I

At a MEETING of the LICENSING SUB-COMMITTEE held at Dundee on 27th September, 2007.

Present:-

Bailie Roderick A J WALLACE
Councillor Helen DICK
Councillor Andy DAWSON

Bailie Roderick A J WALLACE, Depute Convener, in the Chair

Unless marked thus * all items stand delegated.

The Depute Convener agreed that the undernoted item of business be considered as a matter of urgency in terms of Standing Order No 17(b) and in view of the timescales.

The Sub-Committee resolved under Section 50(A)(4) of the Local Government (Scotland) Act 1973 that the press and public be excluded from the meeting for the undernoted item of business on the grounds that it involved the likely disclosure of exempt information as defined in Paragraphs 3, 6 and 9 of Part I of Schedule 7A of the Act.

I CIVIC GOVERNMENT (SCOTLAND) ACT 1982

TAXI DRIVER'S LICENCE - REQUEST FOR HEARING

There was submitted a letter of information from the Chief Constable relative to the conduct of Mr G D during the currency of his Taxi Driver's Licence.

The Sub-Committee, after hearing the Chief Constable's representative and consideration of the content of the letter, agreed that a suspension hearing be convened at a future meeting of the Licensing Committee in relation to the fitness of Mr G D.

Roderick A J WALLACE, Depute Convener.
At a MEETING of the TAXI LIAISON GROUP held at Dundee on 13th September 2007.

Present:-

DUNDEE CITY COUNCIL REPRESENTATIVES

Lord Provost John R LETFORD
BAILIE
Roderick A J WALLACE
COUNCILLORS
Tom FERGUSON
Andy DAWSON
David BOWES

TAXI TRADE REPRESENTATIVES

David YOUNG, The Dundee Taxi Cab Company Ltd, trading as Dundee Taxi Cabs Company
Graeme STEPHEN, Dundee Taxi Association
Steve CASHLEY, 505050 Taxis
Erik THORESEN
Chris ELDER, Transport and General Workers Union

TAYSIDE POLICE REPRESENTATIVES

Bryan COLEMAN, Tayside Police (Sergeant)
Sharon LOUDEN, Tayside Police (Support Staff)

OFFICERS

Patricia McILQUHAM, Depute Chief Executive (Support Services)
Stuart GALLOWAY, Principal General Services Officer
Brian WOODCOCK, Senior Solicitor, Licensing
Ian McCANDLESS, Plant and Vehicle Officer

Lord Provost John R LETFORD, Convener, in the Chair.

Apologies were submitted on behalf of Councillor Liz Fordyce and George Harris, Tay Taxis.

I MINUTE OF PREVIOUS MEETING

The minute of meeting held on 13th August 2007 was submitted and noted for information and record purposes.

II OPERATION OF TAXI AND PRIVATE HIRE CARS

(a) BACKGROUND

The Lord Provost, John R Letford, Convener welcomed everyone to the meeting and advised that the meeting had been called to clarify issues which had been raised by representatives of the Trade in relation to recent events surrounding the operation of Taxi and Private Hire Cars in Dundee.
Thereafter, Ms Patricia McIlquham, Depute Chief Executive (Support Services) reported to the Group on established complaints procedures and the role of the City Council and Tayside Police in this regard. Ms McIlquham explained that the City Council was a regulatory body and that complaints on fitness of licence holders, operators or licensed companies were submitted to meetings of the Licensing Committee for decision and that officers worked in an advisory role to the Committee to assist that decision-making process and to thereafter act upon or enforce any decision taken. Complaints and evidence by members of the public against any licence holder should be reported in the first instance to Tayside Police who may thereafter submit a letter of information to the Licensing Committee for their decision on the matter.

In this respect Ms McIlquham outlined the timeline and action taken by both the City Council and Tayside Police in relation to the operation of vehicles by a company in Dundee which had recently been documented in the press and that, as the company had taken legal action to prevent enforcement action by Tayside Police, the matter was currently subject to court proceedings. Ms McIlquham explained to the Group the legal complexities in relation to this case in the process of the matter being progressed by the City Council in the meantime.

In relation to the complaints which had been submitted to both the City Council and Tayside Police by members of the Taxi Trade in relation to the use of vacant ground by a company adjacent to a city centre night club, Ms McIlquham advised that the Planning and Transportation Department had immediately been made aware of this situation once it became known to the Council and that Planning Officers were investigating the issue as to whether or not the Company required appropriate planning consents to allow their continued operation from this location.

The locality of the area of ground in dispute was established by Graeme Stephen of Dundee Taxi Association. Sergeant Coleman of Tayside Police advised the Group on specifics in relation to access routes within the vicinity of the night club.

The Lord Provost expressed his dissatisfaction that the company referred to had not made approach to the City Council to ensure that necessary approvals were in place prior to commencement of operations from the site for the benefit of all parties which may then have avoided representations being made by members of the Trade in objection to operations by the Company. However, a representative of the company advised the group that they had received guidance from their agent throughout the process to the effect that planning consents were not required, however, they would cease operations at this location should the Planning and Transportation Department find that consents were required.

In reply to questions from Erik Thoresen that Private Hire Vehicles were operating outwith the terms of the legislation from the area of ground adjacent to the nightclub and his view that Private Hire Vehicles were required to return to their base office after completion of each fare journey, Stuart Galloway advised the Group that that referred to an obsolete by-law which had since been superseded by the Civic Government (Scotland) Act, 1982. Brian Woodcock advised the Group of what the law stated in relation to the hiring of a Private Hire Vehicle to allow the driver to obtain a fare within the terms of the Act and that subject to confirmation from Planning and Transportation about planning issues that Private Hire Vehicles could conceivably operate from the area of ground in question.
Sergeant Coleman, Tayside Police requested that complaints or concerns be made known to them by members of the Trade and intimated that they would be monitoring the operation at this site, both in relation to the company and the trade in general.

The Group noted that the Trade Representatives present would notify their members on the position in relation to the issues raised.

The Lord Provost then closed the meeting and thanked everyone for their attendance.

Lord Provost John R LETFORD, Convener.
APPENDIX III

At a MEETING of the TAXI LIAISON GROUP held at Dundee on 17th September 2007.

Present:-

DUNDEE CITY COUNCIL REPRESENTATIVES

Lord Provost John R LETFORD

BAILIE

Roderick A J WALLACE

COUNCILLORS

Helen Dick
Tom FERGUSON
Elizabeth F FORDYCE
Andy DAWSON
David BOWES

TAXI TRADE REPRESENTATIVES

David YOUNG, The Dundee Taxi Cab Company Ltd, trading as Dundee Taxi Cabs Company
George HARRIS, Tay Taxis
Graeme STEPHEN, Dundee Taxi Association
John CURRAN, Tele Taxis
Stuart MORRISON, 505050 Taxis
Erik THORESEN, Dundee Wheelchair Taxi Association
Chris ELDER, Transport and General Workers Union

TAYSIDE POLICE REPRESENTATIVES

Lorna ROBBIE, Tayside Police (Chief Inspector)
Bryan COLEMAN, Tayside Police (Sergeant)
Alec SELFRIDGE, Tayside Police (Constable)

OFFICERS

Patricia McILQUHAM, Depute Chief Executive (Support Services)
Stuart GALLOWAY, Principal General Services Officer
Brian WOODCOCK, Senior Solicitor, Licensing
Alan LEWIS, Planning and Transportation
Mark DEVINE, Planning and Transportation

Lord Provost John R LETFORD, Convener, in the Chair.

Apologies were submitted on behalf of Councillor Laurie Bidwell.

I MINUTE OF PREVIOUS MEETING

The minute of meeting held on 13th September, 2007 was submitted and noted for information and record purposes.
II INTRODUCTIONS - BACKGROUND

The Lord Provost opened the meeting and expressed his disappointment at the actions taken by members of the Taxi Trade since the last meeting of the Taxi Liaison Group and the atmosphere that this had generated within the City and the impression given to members of the public by representatives of the Trade through media organisations.

The Lord Provost referred to the document submitted by Mr Stewart Hosie, MP on behalf of the DTA, DWTA and the T&G outlining the 13 points of concern which their members wanted to raise with the Taxi Liaison Group and that as requested each of these points had been answered jointly by the City Council and Tayside Police and that this paper would be presented to the meeting and would be issued to all taxi operators and taxi drivers within Dundee and be made available to members of the public.

The Lord Provost indicated that he would welcome the views of all members of the Group including Trade Representatives on the current situation and the matters raised by the Trade which they had indicated they would wish to be considered at the meeting. Thereafter Bailie Roderick A J Wallace expressed his support for the position taken by the Lord Provost and his disappointment about the situation. Bailie Wallace expressed his concern that members of the Trade, whilst putting forward their views to the national media about taxi matters, chose to slight Dundee and paint a negative image of the City to what would be a national audience. Bailie Wallace reminded the Group of the progress and achievements which had been realised by the City of Dundee as a whole.

Councillor Elizabeth Fordyce agreed with the sentiments expressed and indicated that she found it hard to comprehend that threats and protests were ongoing whilst it was known that notice had been given publicly that solutions would be sought at the meeting of the Taxi Liaison Group which had existed for many years as the Forum for discussion between the Taxi Trade, City Council and Tayside Police.

Councillor Helen Dick expressed her concern about the possible detrimental effect action taken by the Trade could have on the City and welcomed the document prepared in answer to the 13 points raised by the Trade which would form the basis of constructive discussion at the meeting.

George Harris, on behalf of Tay Taxis, advised the Group that his organisation did not support the action taken by members of the trade.

Dave Young of 203020 expressed sympathy with drivers and gave the view that action taken may be representative of a minority group of people. Mr Young welcomed the proposal that the position statement in relation to the points of concern raised through Stewart Hosie MP be issued to operators and drivers within Dundee and that as a result this could offer the basis of a return to normal relations within the Trade.

Erik Thoresen advised the Group that the Trade Representatives on the Group regularly advised the Trade on matters and gave them information on a regular basis. He also expressed the view that taxi drivers should represent taxi drivers and that the Council had refused to act on issues. Mr Thoresen indicated that the Trade had numerous complaints against Tayside Police and that their members had given them a mandate for strike action and that they would advise the media of the facts. Mr Thoresen also expressed the view that the Trade should not have any external interference from the City Council or Tayside Police and that consultation with the City Council was not to their benefit and that regulations and laws were being used against the Trade.

Chris Elder expressed the view that it was the responsibility of the Council to canvass the Trade to get their views.
Graeme Stephen reported that he had received a hand delivered letter from Tayside Police on Monday, 15th October and indicated that the Trade would be making complaints about Tayside Police in particular their inaction to prosecute private hire vehicles picking up passengers in the street. He explained that the national organisation of the DTA were expressing concern to him about the operation of the law in Dundee and that if operations continued the way they were they would cascade this throughout Scotland.

Patricia McIlquham referred to the minute of meeting of 13th September, 2007 and outlined again the law in relation to the operation of Private Hire Vehicles and the complaints process for both the Council and Tayside Police.

In reply to questions from Graeme Stephen, Stuart Galloway advised the Group that there were currently 163 private hire vehicles in operation in Dundee and that to date no action had been required to be taken by the Council in relation to the operation of these by licence holders. Graeme Stephen challenged this position following which Stuart Galloway advised him that should he have evidence of unlicensed activity he should submit a complaint to the relevant authorities.

Chief Inspector Lorna Robbie reported that in order for the Police to make formal investigations that they required written complaints and welcomed submissions from the trade in particular evidence which could be substantiated by witnesses. Chief Inspector Robbie also took the opportunity to express her concerns about unsubstantiated complaints made by Trade representatives through the media against Tayside Police and urged those representatives who said they had complaints to make these known to Tayside Police to allow them to be investigated as to date no complaint had been received.

III ITEMS PLACED ON THE AGENDA BY STEWART HOSIE MP ON BEHALF OF REPRESENTATIVES OF THE DTA, T&G AND THE DWTA - JOINT RESPONSE FROM DUNDEE CITY COUNCIL AND TAYSIDE POLICE TO ISSUES OF CONCERN OUTLINED BY STEWART HOSIE, MP

The Lord Provost then referred to the 13 points which the Trade had placed on the agenda through their representative Stewart Hosie MP and tabled a document which had been prepared by Dundee City Council and Tayside Police in answer to each of the points which had been raised to facilitate discussion at the meeting. A copy of the response is attached to this minute as an appendix.

The Lord Provost advised the Trade representatives that he appreciated that they would require time to look over the document before discussing the contents. Thereafter the Lord Provost suggested that the Trade Representatives either took the opportunity to have an adjournment for a period of time to allow them to discuss the content amongst themselves; take the document away with them and discuss content with their members and advise the Council of any issues not covered or clarification required, or alternatively go through the content point by point. The Lord Provost also suggested to the Trade Representatives that in his view they may find it worthwhile taking legal advice before taking further actions outwith the meeting.

The Lord Provost also expressed the view that in light of the issues they had placed on the agenda and statements made in the media that their issues of concern were with the existence of Private Hire companies and one in particular namely 203020, whereupon the representatives of the DTA, DWTA, T&G and Tele Taxis made protest about the merits of the Taxi Liaison Group as a discussion forum and ended their participation in the meeting abruptly and vacated the Chamber.

Thereafter Stuart Galloway took the remaining members of the Trade through each of the points on the agenda with reference to the response from the Police and the Council. Reference was made to the minute of previous meeting wherein Dave Young gave an undertaking that should it be established that planning permission was required for the use of the site he would cease activities immediately.
Patricia McIlquham stated that a letter had been sent by the Planning Officer stipulating that consent was required. Stuart Galloway had also sent two letters, the second of which was hand delivered. Mr Young said he had not received any of the three letters. He also stated that what he had said at the previous meeting related only to the temporary use of the site and that he now had a lease and was to be submitting a planning application for this and ancillary functions. He would not now cease the use of the site.

Stuart Morrison of 505050 Taxis referred to an enquiry he had submitted to the City Council in relation to taxi operations. Mr Morrison noted the content of the response which had been issued by the Council on the matter and that delay in receipt may have been due to the recent postal strike.

Mr Morrison also indicated that it had been worthwhile to remain at the meeting as the information provided had helped to counter a number of rumours which had been circulating within the Trade.

The Group were reminded that copy of the joint response would be issued to all taxi operators and taxi drivers in Dundee so that they could be appraised of the issues raised and the position of the City Council and Tayside Police on each matter presented by the Trade.

The Lord Provost thanked everyone for their attendance in particular the members of the Trade who had remained throughout the course of discussions and closed the meeting.

Lord Provost John R LETFORD, Convener.
TAXI LIAISON MEETING - 17 OCTOBER 2007

RESPONSE FROM DUNDEE CITY COUNCIL AND TAYSIDE POLICE TO THE QUERIES RAISED BY THE TAXI TRADE.

1 THAT ALL LICENCE APPLICATIONS ARE NOT CURRENTLY VETTED THROUGH DISCLOSURE SCOTLAND

The position has been made clear to the Trade on this both at Taxi Liaison Group meetings and at a meeting with the Chief Executive. The position is that Tayside Police currently carry out a vetting process on all applicants for Taxi Driver's Licences and Taxi Licences. This process is an enhanced check and goes into far more detail than that carried out by Disclosure Scotland.

The check carried out by Tayside Police is included in the fee for the licence whereas applicants would be charged an additional fee of £20 if the checks were carried out through Disclosure Scotland.

In addition, police officers continue to monitor applicants throughout the process and ensure that the Licensing Committee members have access to the most current information available. This would not happen through Disclosure Scotland.

2 THAT THERE SHOULD BE A RETURN TO RANDOM TESTING OF ALL APPLICANTS' STREET KNOWLEDGE

If random testing took place, this was many years ago. The current process has been in place for at least the last seven years. In place at present is a system where there are in excess of 300 different permutations of questions. It is far more structured and relevant than previous tests.

A return to random testing would not be problematical, but it is viewed as a retrograde step and it is also unclear what benefits would be achieved by this move.

3 THAT THERE ARE CONCERNS ABOUT THE PERFORMANCE OF THE CABS ENFORCEMENT UNIT

Concerns about the performance of the Cabs Enforcement Officers cannot be addressed until it is clear what those concerns are. At the meeting of the Taxi Liaison Group on 13 September 2007, the Tayside Police representative requested that complaints or concerns were made known to the Police by members of the trade. No such complaints or concerns had been raised either at that meeting or subsequently and as such a response cannot be provided.

It is disappointing that the Taxi Associations continue to raise concerns about the performance of the Cabs Enforcement Unit through the media but there have been no specific allegations which would allow a detailed response. The Deputy Chief Constable has written to the lead individuals in each of the Associations inviting them to make a complaint so that an investigation may be carried out.

4 THAT THERE IS A CONCERN OF THE USE OF ADVERTISING AND DISTINGUISHING LOGOS ON PRIVATE HIRE VEHICLES (IN RELATION TO THE CIVIC GOVERNMENT (SCOTLAND) ACT 1982)

Section 14 of the Civic Government (Scotland) Act 1982 provides that "there shall not be displayed on or in a private hire car, any word, sign, notice, mark, illumination or other feature which may suggest that the vehicle is available for hire as a taxi". In order to comply with this requirement, The Dundee Taxi Cab Company do not have the full company name on the door of their vehicles and instead simply the company initials "DTCC" are displayed. In addition, the company logo with the number "203020" is displayed on the side of the car in accordance with the Committee's current practice of allowing private hire car operators to display their own telephone number. This is entirely in accordance with SDD Circular 6/1983 which provides that "the Secretary of State regards basic advertisements that a vehicle is a taxi or private hire car - such as displays of the name of the firm and its telephone number - as generally being in the public interest, because it permits ready identification".
5 THAT ALL LICENCE APPLICATIONS SHOULD BE PROPERLY PUBLICISED TO ALLOW FOR OBJECTIONS TO BE MADE IF APPROPRIATE

The Civic Government (Scotland) Act 1982 requires that public notice be given in respect of all applications. There is however no requirement to advertise applications not involving premises in the press. On the introduction of the Act, the Council (similar to other Councils in Scotland) agreed that applications involving premises would be advertised in the local press and that all other applications would be placed in a public register which the public could inspect.

Trade representatives are well aware of the procedures, as they have lodged numerous objections to applications for taxi licences over the past six years. The perception seems to be this time that the applications for taxi licences lodged by 203020 were not dealt with in the usual manner. These applications were lodged on 12 July, placed in the public register the same day and dealt with by the Committee on 16 August. Trade representatives did not attend at the Council offices during this period to check the register. Had they done so they would have been in a position to object.

6 THAT MORE USE SHOULD BE MADE OF CCT V CAMERAS TO IDENTIFY INFRINGEMENTS INCLUDING ALLEGATIONS OF PRIVATE HIRE VEHICLES PICKING UP IN THE STREET

CCTV is primarily in place as a crime deterrent/detection system. It monitors the public space for the benefit of all who live, work and visit the City. It is not a tool to be used lightly. The potential backlash from the general public if it was found that CCTV was being used to monitor private hire vehicles and not crime would rightly be justified.

Any CCTV footage of persons stopping vehicles in the street would be of limited value in any event.

Tayside Police do not intend to give any directive to the CCTV operators to undertake this course of action.

7 THAT CONCERNS ABOUT TOUTING ARE FULLY INVESTIGATED

Touting means -

any person who (a) in a public place (i) touts for the purpose of selling or advertising anything or otherwise obtaining custom so as to give any other person reasonable cause for annoyance; or (ii) importunes any other person for that purpose so as to give that, or any other, person reasonable cause for annoyance; and (b) fails to desist when required to do so by a constable in uniform, shall be guilty of an offence. Section 55 of the Civic Government (Scotland) Act 1982 refers.

Public place means any place (whether a thoroughfare or not) to which the public have unrestricted access and includes the doorways and entrances of premises abutting on any such place. If the members of staff of The Dundee Taxi Cab Company are offering their services from either within Fat Sam’s or the private parking area they are not in a public place. In addition, if no constable in uniform has asked anyone to stop touting, then no offence has been committed.

In the circumstances pertaining to the situation in Dundee, the bookings for the Private Hire vehicles have been made through a third party (namely Fat Sam’s Nightclub). The Dundee Taxi Cab Company Limited have a written contract with that company agreeing to provide transport for their customers.

8 THERE ARE CONCERNS ABOUT BADGE COSTS INCREASES

The Trade reps had requested that an additional Cabs Enforcement Officer be appointed. It was agreed that this would be looked into and the Trade were advised that there would be cost implications to the Trade as the Council had a legal duty to recover its costs.

At a meeting of the Taxi Liaison Group on 24 August 2006 the Trade reps were advised of the costs and given options as to how they could be recovered.
At the suggestion of the Trade, it was agreed that taxi operators’ licences be increased by £25 and drivers by £50. This was subsequently approved by the Licensing Committee on 7 September 2006.

9 THAT THE LOCATION OF TAXI RANKS IS REVIEWED

The responsibility for providing and maintaining taxi ranks rests with the Planning and Transportation Department. Any requests to review the provision of ranks or spaces within Dundee City would require a specific request from either the taxi trade or the Taxi Liaison Group. The Planning and Transportation Department are happy to evaluate any such requests and, if deemed appropriate, the costs would require to be met from the Trade.

10 CONFUSION OVER THE TAXICARD SCHEME

We are unaware of any major confusion on the part of the scheme clients.

There is however an underlying dissatisfaction by taxi drivers/operators who wish to participate in the full scheme, but are unable to do so as they have not installed the smartcard readers within their vehicles to allow interaction with the Smartcard based Taxicard scheme.

We are unable to return to a paper based voucher scheme as high levels of fraud were identified in the past and this formed the basis of why Smartcard technology was introduced in October 2003.

The wheelchair taxicard scheme was introduced on 1 September 2004 to permit taxicard clients, who require to travel in their wheelchair, the facility to travel in all wheelchair accessible taxis within the City. It is apparent from the vouchers received that whilst accessible taxis working from Taxi Offices are participating in the Scheme, very few street car accessible taxis are.

Notwithstanding the above, door to door transport provision is an important element of the emerging Tayside and Central Scotland Transport Partnership's (TACTRAN) Regional Transport Strategy. This includes the longer term provision of Taxicard and alternatives such as Demand Responsive Transport and Community Transport. Dundee City Council as a constituent member of TACTRAN is actively encouraging a long term solution to the needs of those reliant on door to door transport provision.

11 MEMBERSHIP OF TAXI LIAISON GROUP

It is believed that the Trade is concerned that The Dundee Taxi Cab Company is represented by Mr Young who does not hold any licences in his own name and have expressed the view that only licence holders should attend these meetings.

In January 2006, the Council reviewed the membership following several unruly and unproductive meetings. The Group now comprises taxi offices and Trade organisations each with one representative on the Group. When deciding the membership, the Committee took the view that it was up to the taxi offices concerned to decide who would represent them. The Dundee Taxi Cab Company chose Mr Young.

12 PRIVATE HIRE CAR BOOKINGS

Section 23 of the Civic Government (Scotland) Act 1982 defines a "taxi" as "a hire car which is engaged, by arrangements made in a public place between the person to be conveyed in it (or a person acting on his behalf) and its driver for a journey beginning there and then" and "private hire car" means "a hire car other than a taxi" as just described. Accordingly, a private hire car may operate in any manner which does not bring it within the afore-mentioned definition of "taxi". In other words, the one thing which a private hire car is specifically prohibited from doing is becoming involved in an arrangement made in a public place between the customer and the driver for a journey beginning there and then. It is important to note that the Act does not prescribe how the arrangements for hire of a private hire car are to be carried out in practice. In particular, nowhere is there any mention made of this having to be done by telephone. As mentioned earlier under paragraph 7 above, the bookings for the private hire vehicles in the situation which is causing concern amongst the taxi trade outside Fat Sam's Nightclub have been made through the nightclub itself and The Dundee Taxi Cab Company...
Limited have a written contract with the nightclub in this regard. However, it would be a clear breach of the terms of Section 23 of the 1982 Act if patrons of other establishments apart from Fat Sam's sought to make use of the private hire vehicles parked there.

13 THAT THERE IS CONCERN ABOUT THE TOTAL NUMBER OF LICENCES IN THE CITY

The Council's policy is that Taxi Licences will only be granted subject to a condition that a European whole volume type accessible vehicle is placed on service as a taxi. At the time the policy was introduced in November 2003, vehicles which had low volume type approval as a minimum were also permitted. This changed to whole volume type approval as a result of a Taxi Liaison meeting in March 2005 when agreement was reached with the Trade that the vehicle specification would be amended and that we would wait until such time as guidance was obtained from the Scottish Executive before looking at the policy again. Guidance is still awaited.

The number of taxis was expected to rise as new applications were made but there was also an expectation that there would be a peak and then a levelling off as the market found its own level. This is exactly what has occurred. The numbers peaked in 2005 with 652 taxis and there are now 559 taxis. The number of Private Hire Car licences has however increased and there are currently 163 such licences (this figure includes vehicles used solely for airport transfers). The Council do not have any powers in terms of the Act to restrict the number of Private Hire Car licences.

Of the 559 taxis, 191 are accessible. Prior to the policy change in 2003 only six out of 507 taxis were accessible. At that time this placed the Council in the second bottom position in a league table of accessible taxis in the UK. Whilst the provision has increased, we still receive complaints from disabled people that they are being refused to be taken or have to wait considerably longer than able bodied persons and we require to address this inequality.

The Council feels that the number of taxis can be controlled more effectively by restricting the quality of vehicle to be placed on service rather than fixing an arbitrary number of licences to be issued.

A request for a moratorium on the issue of taxi licences has been made. The Council cannot legally do this as taxi licences can only be limited on the grounds that there are too many if there is evidence to that effect. This would require a survey to be carried out which would identify a maximum number as to when demand had been met. The timescale for such a survey being to hand would be between nine months and one year. In addition, the survey would have to be updated on a regular basis and at the end of the day any applicants who were refused licences could still appeal to the Sheriff and if the Sheriff took the view that the survey and the updating procedure was not sufficient then he may grant the licences which would basically have the effect of opening the City which is not in anyone's interests. The other factor which must be taken into consideration is the fact that there are currently three classes of taxi, namely saloon car, low volume type and whole volume type. Any survey and subsequent change of policy would require to regularise this position, namely, that all taxis would have to be accessible to as many groups of disabled people as possible.

None of the foregoing could be achieved overnight and would require to be the subject of lengthy consultation with all interested parties.

In conclusion, it can be seen that whilst the number of taxis is being controlled by the imposition of the whole volume vehicle requirement, the continuing concern of apparent discrimination against disabled persons require to be addressed.

17 October 2007
At a MEETING of the DUNDEE CITY COUNCIL held at Dundee on 12th November, 2007

Present:-

Lord Provost John R LETFORD

BAILIES

George REGAN       Willie SAWERS       Derek J SCOTT
Helen WRIGHT       Roderick A J WALLACE Ian BORTHWICK

COUNCILLORS

Kevin KEENAN       Fraser MACPHERSON   Will DAWSON
Mohammed ASIF      Ken GUILD          Bob DUNCAN
Tom FERGUSON       Jimmy BLACK        Elizabeth F FORDYCE
Brian GORDON       David BOWES        Stewart HUNTER
Richard McCREADY   Andrew DAWSON     Ken LYNN
Joe MORROW         Donald HAY

Lord Provost John R LETFORD, Convener, in the Chair.

I  MINUTES

The undernoted minutes were submitted and noted.

1. Minute of Development Quality Committee dated 15th October, 2007
2. Minute of City Council dated 22nd October, 2007
3. Minute of Education Committee dated 22nd October, 2007
4. Minute of Planning and Transport Committee dated 22nd October, 2007
5. Minute of Economic Development Committee dated 22nd October, 2007
6. Minute of Leisure, Arts and Communities Committee dated 22nd October, 2007
7. Minute of Housing, Dundee Contract Services and Environment Services Committee dated 22nd October, 2007
8. Minute of Social Work and Health Committee dated 22nd October, 2007
9. Minute of Policy and Resources Committee dated 22nd October, 2007

II  CHRISTMAS WALK - ALEXANDRIA

It was reported that the Lord Provost, his wife and the Council Officer had been invited to attend the Christmas Walk in Alexandria from 29th November to 3rd December, 2007.

The Council agreed that the invitations be accepted.

III  FIRST STATUTORY REVIEW OF POLLING PLACES AND POLLING DISTRICTS

On a reference to Article II of the minute of meeting of the City Council of 16th October, 2006, there was submitted Report No 573-2007 by the Depute Chief Executive (Support Services) outlining proposals for polling places and polling districts in terms of the Electoral Administration Act 2006.

The Council approved the changes outlined in Section 5 of the report.

Lord Provost John R LETFORD, Convener.
At a MEETING of the PLANNING AND TRANSPORT COMMITTEE held at Dundee on 12th November, 2007.

Present:-

Lord Provost John R LETFORD

BAILIES

George REGAN Willie SAWERS Derek J SCOTT
Helen WRIGHT Roderick A J WALLACE Ian BORTHWICK

COUNCILLORS

Kevin KEENAN Fraser MACPHERSON Will DAWSON
Mohammed ASIF Ken GUILD Bob DUNCAN
Laurie BIDWELL Jimmy BLACK Elizabeth F FORDYCE
Tom FERGUSON David BOWES Stewart HUNTER
Brian GORDON Andrew DAWSON Ken LYNN
Richard McCREADY Donald HAY
Joe MORROW

Councillor Fraser MACPHERSON, Convener, in the Chair.

The minute of meeting of this Committee of 22nd October 2007 was held as read.

Unless marked thus * all items stand delegated.

I  CONFIRMATION OF TREE PRESERVATION ORDER, 30C ALBANY ROAD

The Committee acceded to a request for a deputation to address the Committee relative to the above proposed Tree Preservation Order. After the deputation had stated its case and answered questions from members of the Committee, it was thanked for its attendance and withdrew.

Thereafter, there was submitted AN266-2007 relative to the proposed Order. The Committee agreed to defer consideration of this item for a month and remitted to the Council’s Forestry Officer to submit a report on the matter to the next meeting of this Committee.

II  TAY STREET LANE - SITE PLANNING BRIEF

There was submitted Report No 505-2007 by the Director of Planning and Transportation advising the Committee of the findings of the public consultation on the draft Tay Street Lane Site Planning Brief and seeking approval of the Finalised Brief.

The Committee agreed to:-

(a) note the findings from the public consultation;

(b) approve the Tay Street Lane Site Planning Brief as supplementary planning guidance to the Dundee Local Plan Review 2005 to direct future development within the Tay Street Lane area; and

(c) refer the final site planning brief to the Development Quality Committee as a relevant material planning consideration.
III FLOOD PREVENTION AND LAND DRAINAGE (SCOTLAND) ACT 1997

There was submitted Report No 552-2007 by the Director of Planning and Transportation advising the Committee of the completion of the sixth biennial report on flooding and seeking approval for the publication of the Report as required by the Flood Prevention and Land Drainage (Scotland) Act 1997.

The Committee agreed to:-

(a) note the content of the sixth biennial report on flooding; and

(b) authorise the publication of the report.

IV LANGLANDS STREET CAR PARK ENVIRONMENTAL IMPROVEMENTS - WHALERS CLOSE ENVIRONMENTAL IMPROVEMENTS

There was submitted Agenda Note AN265-2007, making reference to Article IV of the minute of meeting of this Committee of 12th February 2007 wherein the City Engineer was authorised to appoint Land and Building Services Limited to carry out improvement work to the Langlands Street Car Park.

It was reported that the main works were nearing completion and additional works had now been identified which required to be carried out in Whalers Close, Dundee. The City Engineer had obtained a quotation from the Contractor which demonstrated favourable rates for carrying out these works under the above contract and had recommended that this be accepted.

The Committee authorised these works, having noted that the overall costs amounted to £100,000 including £10,000 for professional fees and £3,000 for contingencies, which would be met from the Vacant and Derelict Land Fund 2007/08.

V CITY QUAY AREA - WAITING RESTRICTIONS

There was submitted Report No 549-2007 by the Director of Planning and Transportation considering the necessity to introduce and amend current waiting restrictions in the City Quay area in order to reduce congestion caused by commuter parking and assist the local attractions by introducing some pay and display spaces to create a turnover of parking.

The Committee agreed that a Traffic Regulation Order be prepared to add to and amend waiting restrictions in the area, as detailed in the report.

VI TOM McDONALD AVENUE/KIRSTY SEMPLE WAY - BUS ONLY FACILITIES

There was submitted Report No 545-2007 by the Director of Planning and Transportation considering the necessity to introduce bus only facilities with exemptions for emergency vehicles in Kirsty Semple Way and the link road between Kirsty Semple Way and Tom McDonald Avenue.

The Committee agreed that, in order to prevent general traffic from interfering with access to the Accident and Emergency Department at Ninewells Hospital, a Traffic Regulation Order be prepared to only permit buses and emergency vehicles on that length of Kirsty Semple Way north of Tom McDonald Avenue and to introduce a bus only lane in part of the link road between these two streets.

VII NEW ROADS

There was submitted Agenda Note AN267-2007 detailing the undernoted applications for road construction consent, which the Director of Planning and Transportation had recommended be approved subject to conditions which had been agreed with the applicants:-
<table>
<thead>
<tr>
<th>Location</th>
<th>Ward</th>
<th>Applicant</th>
<th>Revenue Implications per annum</th>
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<tr>
<td>West Street</td>
<td>Coldside</td>
<td>MRK 1 Limited</td>
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<tr>
<td>South Road Traffic Signals</td>
<td>Lochee</td>
<td>Tesco Stores Limited</td>
<td>£860</td>
</tr>
</tbody>
</table>

The Committee approved the applications and further agreed that on satisfactory completion of these roads and, if so requested by the applicants, they be entered on the List of Public Roads for the purposes of management and maintenance in terms of the Roads (Scotland) Act 1984.

Fraser MACPHERSON, Convener
At a MEETING of the ECONOMIC DEVELOPMENT COMMITTEE held at Dundee on 12th November, 2007.

Present:-

Lord Provost John R LETFORD

BAILIES

George REGAN    Willie SAWERS    Derek J SCOTT
Helen WRIGHT    Roderick A J WALLACE    Ian BORTHWICK

COUNCILLORS

Kevin KEENAN    Joe MORROW    Will DAWSON
Mohammed ASIF    Fraser MACPHERSON    Bob DUNCAN
Laurie BIDWELL    Ken GUILD    Elizabeth F FORDYCE
Tom FERGUSON    Jimmy BLACK    Stewart HUNTER
Brian GORDON    David BOWES    Ken LYNN
Richard McCREADY    Andrew DAWSON    Donald HAY

Councillor Joe MORROW, Convener, in the Chair.

The minute of meeting of this Committee of 22nd October, 2007 was held as read.

Unless marked thus * all items stand delegated.

I  REFURBISHMENT OF THE AIRPORT HOVERCRAFT

There was submitted Report No 562-2007 by the Director of Economic Development requesting approval for acceptance of an offer for the refurbishment of the airport hovercraft.

The Committee agreed that a contract be let to Griffon hovercraft of Woolson, Southampton for the refurbishment of Dundee Airport's Griffon 375TD Hovercraft, at an estimated cost of £11,000.

In addition, the Committee authorised the appropriate offices to approve, if necessary, additional expenditure of up to £3,000 without further reference to this Committee.

The Committee resolved under Section 50(A)(4) of the Local Government (Scotland) Act 1973 that the press and public be excluded from the meeting for the undernoted items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 6 and 9 of Part I of Schedule 7A of the Act.

II  COMMERCIAL LEASES

There was submitted and approved Report No 563-2007 by the Director of Economic Development detailing the undernoted commercial leases:-

17-19 King Street
Ground extending to 1.268 ha at Earl Grey Place

III  PROPOSED SALE OF LAND ADJOINING 321 CRAIGIE DRIVE

There was submitted Report No 557-2007 by the Director of Economic Development seeking approval for the sale of 0.0106 hectares of land adjoining 321 Craigie Drive.

The Committee approved the sale on the terms and conditions detailed in the report.
IV PROPOSED SALE OF LAND ADJOINING 329 CRAIGIE DRIVE

There was submitted Report No 558-2007 by the Director of Economic Development seeking approval for the sale of 0.0020 hectares of land adjoining 329 Craigie Drive.

The Committee approved the sale on the terms and conditions detailed in the report.

V PROPOSED SALE OF LAND ADJOINING 331 CRAIGIE DRIVE

There was submitted Report No 559-2007 by the Director of Economic Development seeking approval for the sale of 0.0032 hectares of land adjoining 331 Craigie Drive.

The Committee approved the sale on the terms and conditions detailed in the report.

VI PROPOSED SALE OF LAND ADJOINING 17 SOUTHAMPTON ROAD

There was submitted Report No 560-2007 by the Director of Economic Development seeking approval for the sale of 0.151 hectares of land adjoining 17 Southampton Road.

The Committee approved the sale on the terms and conditions detailed in the report.

VII PROPOSED LEASE OF LAND ADJOINING 37 STRIPS OF CRAIGIE ROAD

There was submitted Report No 561-2207 by the Director of Economic Development seeking approval for the lease of 0.0235 hectares of land adjoining 37 Strips of Craigie Road.

The Committee approved the lease on the terms and conditions detailed.

VIII PROPOSED LEASE OF LAND AT 30 GARVOCK PLACE

There was submitted Report No 566-2007 by the Director of Economic Development seeking approval for the lease of 0.0682 hectares of land at 30 Garvock Place.

The Committee approved the lease on the terms and conditions detailed.

Joe MORROW, Convener.
At a MEETING of the LEISURE, ARTS AND COMMUNITIES COMMITTEE held at Dundee on 12th November, 2007.

Present:-

Lord Provost John R LETFORD

BAILIES

George REGAN Willie SAWERS Derek J SCOTT
Helen WRIGHT Roderick A J WALLACE Ian BORTHWICK

COUNCILLORS

Kevin KEENAN Joe MORROW Will DAWSON
Mohammed ASIF Fraser MACPHERSON Bob DUNCAN
Laurie BIDWELL Ken GUILD Elizabeth F FORDYCE
Tom FERGUSON Jimmy BLACK Stewart HUNTER
Brian GORDON David BOWES Ken LYNN
Richard McCREADY Andrew DAWSON Donald HAY

Councillor Richard McCREADY, Convener, in the Chair.

The minute of meeting of this Committee of 22nd October, 2007 was held as read.

Unless marked thus * all items stand delegated.

Prior to the commencement of business, the Convener congratulated the City of Glasgow on becoming the host city for the Commonwealth Games in 2014. Congratulations were further extended to the Leader of Glasgow City Council, the First Minister, the former First Minister and all other persons involved. The Convener noted that it was anticipated that Dundee would play an active role in assisting with any training needs for this event.

I HMIE REVIEW REPORT - IMPROVING SCOTTISH EDUCATION: MAKING A DIFFERENCE IN SCOTLAND’S COMMUNITIES, SEPTEMBER 2007

There was submitted Agenda Note AN268-2007 advising the Committee that the above mentioned report had been published as a website only document on 4th September, 2007 and covered a five year review of community learning and development in Scotland post the production of the last inspection framework “How Good is our Community Learning & Development” May 2002.

The report set out the context against which this activity had progressed over the period of statutory inspection and highlighted positive progress of varying degrees across Scotland in the evaluation/monitoring of community learning and development, self assessment, contributions to partnership working and to the broader community planning agenda.

The Committee’s attention was also drawn to Section 2, the main findings and strengths and to the examples of good practice under Section 4 as follows:-

- The Xplore Partnership provided highly valued support for young people who faced difficulties in their lives, using approaches which were person-centred and non-judgemental.

- The Peer Education Project had recently been awarded the top Stop Bullying award from the Scottish Executive Education Department for its work in reducing school bullying.

- Saved By the Bell promoted financial literacy and a savings scheme for pupils involving the Discovery Credit Unit as a learning source for schools.
• The Dundee City of Discovery Picture Book Award, a peer learning project involving primary pupils of different ages working together on evaluations of children's books, demonstrated a wide range of important learning gains.

Dundee City Council Leisure and Communities Department had been formally inspected on three occasions during this period and had maintained high quality assessment levels. Section 5 outlined the challenges ahead for this occupational service sector and the specifics of planning drivers which the Council as a corporate body were addressing through Departmental Service Plans and the Dundee Partnership.

The Committee noted this information accordingly.

II FINANCIAL SUPPORT FOR DISCOVERY CREDIT UNION

Councillors Keenan and Morrow declared a financial interest in this item by virtue of their membership of Discovery Credit Union.

There was submitted Report No 553-2007 by the Director of Leisure and Communities seeking approval for a grant award from the Neighbourhood Regeneration Fund to the Discovery Credit Union.

The Committee approved the award of an administration grant of £6,000 towards the running costs for Discovery Credit Union to enable the organisation to continue to provide savings and low-cost loan facilities.

III DUNDEE INTERNATIONAL WOMEN'S CENTRE GRANT

There was submitted Report No 554-2007 by the Director of Leisure and Communities seeking approval for the payment of the annual grant award to the Dundee International Women's Centre.

The Committee approved the grant award of £8,189 to Dundee International Women's Centre.

IV FINANCIAL SUPPORT TO DUNDEE SIROLLI INITIATIVE

Councillor Black declared a non-financial interest in this item by virtue of his position as Chair of Dundee Sirolli Initiative.

There was submitted Report No 555-2007 by the Director of Leisure and Communities seeking approval for a grant award from the Neighbourhood Regeneration Fund as a contribution towards start up costs for the Sirolli Initiative in Dundee.

The Committee approved the award of a grant of £1,000 towards the start up costs for the establishment of the Sirolli Initiative in Dundee.

V ACQUISITION OF EXHIBITS FOR REFURBISHED McMANUS GALLERIES AND MUSEUMS

There was submitted Agenda Note AN269-2007 advising the Committee that the refurbished McManus Galleries and Museum would re-house existing exhibits in a collection of new, themed galleries, including one entitled “Landscapes and Lives” which would relate the origins and history of Dundee and its environment. To complement existing exhibits and further illustrate the theme of this gallery it was proposed to acquire additional exhibits in the form of new taxidermy mounts of six species once indigenous to Scotland but now extinct in the area, ie one each of brown bear, lynx, European beaver, wolf, wild boar and lemming.

The Committee approved the acquisition of these new exhibits, having noted that all specimens would be sourced legally and ethically from a supplier in Finland where these species still exist. Specialist contractor, Duncan A Ferguson, is a taxidermist of international repute who recently prepared large mammal mounts as part of Glasgow Museums' Kelvingrove redisplay. Mr Ferguson had supplied a quotation for the contract of £12,825 including a contingency of £675 and it was agreed that this quotation be accepted.
The Committee further noted that, recognising the importance of these specimens, The National Museum of Scotland had approved a grant of £6,000 towards the total cost through the National Fund for Acquisitions. The remaining expenditure of £6,825 would be met from the Leisure and Communities Revenue Budget.

VI    CHRISTMAS AND NEW YEAR CLOSURE

The Convener, Lord Provost Letford, Bailie Wallace and Councillors Asif and Duncan declared a non-financial interest in this item by virtue of their Council appointments to Dundee Leisure.

There was submitted Report No 577-2007 by the Director of Leisure and Communities informing the Committee of the festive season closing times within facilities funded by the Leisure, Arts and Communities Committee.

The Committee noted the opening times as detailed in Appendix 1 to the report.

VII    DOUGLAS SPORTS CENTRE SHOWERS/TOILETS

The Convener, Lord Provost Letford, Bailie Wallace and Councillors Asif and Duncan declared a non-financial interest in this item by virtue of their Council appointments to Dundee Leisure.

There was submitted Agenda Note AN295-2007 advising that an offer of £27,823 had been received from Dundee Contract Services for the refurbishment of the female showers and male/female toilets at the above facility. This would include the supply and fitting of laminate panel cubicles, water resistant wall panels, sink vanity units, regrouting of all tiled areas and upgrading of lighting.

The Committee agreed that this offer be accepted, having noted that the total expenditure of £27,823 can be met from the allocation within the Leisure and Communities 2007/08 Capital Budget.

Richard McCREADY, Convener.
### Appendix

<table>
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<th>FACILITY</th>
<th>Mon 24 Dec</th>
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<th>Thurs 27 Dec</th>
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<th>Sat 29 Dec</th>
<th>Sun 30 Dec</th>
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<td>CLOSED</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>10am - 5.30pm</td>
</tr>
<tr>
<td>Leisure Complex</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>closed as normal</td>
<td>normal opening</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>normal opening</td>
</tr>
<tr>
<td>Baird Park Stadium</td>
<td>normal opening</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>normal opening</td>
</tr>
<tr>
<td>Golf Courses</td>
<td>normal opening</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>normal opening</td>
</tr>
<tr>
<td>Wildlife Centre</td>
<td>normal opening</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>normal opening</td>
</tr>
<tr>
<td>Box Office</td>
<td>normal opening</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>closed as normal</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>normal opening</td>
</tr>
<tr>
<td>McManus Galleries</td>
<td>Closed for refurbishment.</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Broughty Castle</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>normal opening</td>
</tr>
<tr>
<td>Mills Observatory</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>normal opening</td>
</tr>
<tr>
<td>Community Centre</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>closed as normal</td>
<td>normal opening</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>normal opening</td>
</tr>
<tr>
<td>Central Library</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>closed as normal</td>
<td>8.00 am - 10.00 pm</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>normal opening</td>
</tr>
<tr>
<td>Community Libraries</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>closed as normal</td>
<td>8.00 am - 10.00 pm</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>normal opening</td>
</tr>
<tr>
<td>Arbroath Centre</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>9am - 5.30 pm</td>
<td>9am - 5.30 pm</td>
<td>9am - 5.30 pm</td>
<td>9am - 5.30 pm</td>
<td>closed as normal</td>
<td>closed as normal</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>9am - 5.30 pm</td>
</tr>
<tr>
<td>The Shore</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>9am - 5.30 pm</td>
<td>9am - 5.30 pm</td>
<td>9am - 5.30 pm</td>
<td>9am - 5.30 pm</td>
<td>closed as normal</td>
<td>closed as normal</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>9am - 5.30 pm</td>
</tr>
<tr>
<td>The Corner</td>
<td>normal opening</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>normal opening</td>
<td>CLOSED</td>
<td>CLOSED</td>
<td>normal opening</td>
</tr>
</tbody>
</table>

* Experience has shown, on the day before festive public holidays, Central Library and Community Libraries are quiet. It was agreed that libraries scheduled to open beyond 5.00 pm on Monday 31 December 2007 close at 5.00 pm on that date.
At a MEETING of the POLICY AND RESOURCES COMMITTEE held at Dundee on 12th November, 2007.

Present:-

Lord Provost John R LETFORD

BAILIES

George REGAN Willie SAWERS Derek J SCOTT
Helen WRIGHT Roderick A J WALLACE Ian BORTHWICK

COUNCILLORS

Kevin KEENAN Joe MORROW Will DAWSON
Mohammed ASIF Fraser MACPHERSON Bob DUNCAN
Laurie BIDWELL Ken GUILD Elizabeth F FORDYCE
Tom FERGUSON Jimmy BLACK Stewart HUNTER
Brian GORDON David BOWES Ken LYNN
Richard McCREADY Andrew DAWSON Donald HAY

Councillor Kevin KEENAN, Convener, in the Chair.

The minute of meeting of this Committee of 22nd October, 2007 was held as read.

Unless marked thus * all items stand delegated.

I  MINUTE OF MEETING OF PERSONNEL APPEALS SUB-COMMITTEE

The minute of meeting of the Personnel Appeals Sub-Committee of 29th October, 2007, a copy of which is appended hereto was submitted for information and record purposes.

II  COMMUNITY REGENERATION FUND SMALL GRANTS ALLOCATIONS

Councillor Keenan declared a non-financial interest in Ardler Village Trust by virtue of being the Council representative on the Trust.

There was submitted Report No 572-2007 by the Assistant Chief Executive (Community Planning) and Director of Leisure and Communities relative to the above.

The Committee noted the process for allocating small grants through the Local Community Regeneration Forum as agreed by the Dundee Partnership and endorsed the funding proposals detailed below.

<table>
<thead>
<tr>
<th>Project Title</th>
<th>Project Description</th>
<th>Amount Awarded</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ardler Village Trust</td>
<td>To install lockable wooden gate to complement the existing fencing and enable access for key workers.</td>
<td>£359</td>
</tr>
<tr>
<td>Dundee Age Concern</td>
<td>Costs towards providing 10 local outings for elderly service users to provide exercise, promote social inclusion and wellbeing.</td>
<td>£700</td>
</tr>
<tr>
<td>Dundee International Women’s Centre</td>
<td>To purchase quality printer plus cartridges and paper folding machine to meet increased demand.</td>
<td>£2,148</td>
</tr>
</tbody>
</table>
### Project Title
- **Grey Lodge Settlement over 50’s Group**
  - Costs towards providing a series of educational visits to local heritage/museum/places of specific interest.
  - **Amount Awarded**: £550
- **Hilltown Youth Group**
  - Leisure and Communities Department
  - To provide art supplies, cover printing costs towards launch of book about the Hilltown.
  - **Amount Awarded**: £1,455
- **Mill O’ Mains Pavilion Management Group**
  - To purchase start up materials for a mosaic tiling.
  - **Amount Awarded**: £250
- **Happyhillock Residents Group**
  - To provide publicity materials and cover costs of running an open event.
  - **Amount Awarded**: £250
- **Balmoral Residents Group**
  - To purchase lights and cover installation costs to supply power to Village Green.
  - **Amount Awarded**: £700

### III REVENUE MONITORING


The Committee:-

(i) noted that the overall General Fund 2007/2008 Projected Revenue Outturn as at 30th September 2007 showed an overspend of £527,000 against the adjusted 2007/2008 Revenue Budget;

(ii) noted that the Housing Revenue Account was projecting an underspend of £388,000 against the adjusted HRA 2007/2008 Revenue Budget;

(iii) instructed the Head of Finance to take every reasonable action to ensure that the 2007/2008 Revenue expenditure was below or in line with the adjusted Revenue Budget; and

(iv) instructed the Head of Finance in conjunction with all Chief Officers of the Council to continue to monitor the Council’s 2007/2008 Projected Revenue Outturn.

### IV CAPITAL MONITORING

There was submitted Report No 546-2007 by the Head of Finance appraising members of the latest position regarding the Council’s Capital Expenditure programme for 2007/08.

The Committee noted the contents of the Report.

### V SAFEGUARDERS - FEES

After considering Agenda Note AN270-2007, the Committee noted the fees detailed below which had been introduced with effect from 1st April, 2007.
**Fees - Appointments by Hearing**

(a) Fixed Appointment Fee - £219.40
Fixed Appointment Fee - Second and subsequent children
£109.70 per child (living separately from first child)
£54.85 per child (living together with first child)

(b) Fixed Attendance Fee - £109.70

(c) Fixed Fee for Reports - Continued Hearings
£109.70 (written report) £54.85 (oral report)
£54.85 (written report) £27.43 (oral report) - second and subsequent children

**Fees - Appointments by Sheriff**

(a) Fixed Appointment Fee - £219.40 (entering proceedings as a party)
Fixed Appointment Fee - £54.85 (not entering proceedings as a party)
Fixed Appointment Fee - Second and subsequent children
£109.70 per child (living separately from first child)
£54.85 per child (living together with first child)

(b) Fixed Attendance Fee - £109.70 per day regardless of the number of children involved (entering as a party only)

(c) Fixed Fee for Continued Diets - £54.85 (entering as a party only)

**VI LEASED CAR MILEAGE RATES**

Reference was made to Article II of the minute of meeting of the Personnel Committee of 16th February, 2004, wherein it was agreed that the Inland Revenue Advisory Fuel Rates be adopted by the Council in respect of employees with leased cars, and that the rates in force each 1st April be applied for the whole of that financial year.

There was submitted Agenda Note AN271-2007 intimating that since then, HM Revenue and Customs had reduced the Advisory Fuel Rates on dates other than 1st April, which had resulted in a profit element between the date of change and the following 1st April, and consequent tax implications for employees.

In order to avoid this happening again, it was proposed that the Council apply any change to the mileage rate paid to employees from the date HM Revenue and Customs make a change to Advisory Fuel Rates.

The Committee approved accordingly.

**VII INLAND REVENUE AUTHORISED MILEAGE RATES**

Reference was made to Article III of the minute of meeting of the Personnel Committee of 13th December, 2004 and to Article VII of its meeting of 10th January, 2005, wherein it was agreed that the Inland Revenue Authorised Mileage Rates be adopted by the Council in respect of the Casual User Car Allowance Scheme and for those employees who use motorcycles on Council business, and that the rates in force each 1st April be applied for the whole of the financial year.

There was submitted Agenda Note AN273-2007 intimating in order to avoid potential tax implications it was proposed that the Authorised Mileage Rates be changed on a date other than 1st April, and that the Council apply any change to the mileage rate paid to employees from the date HM Revenue and Customs make a change to Authorised Mileage Rates.

The Committee approved accordingly.
VIII IMPLEMENTATION OF SINGLE STATUS

On a reference to Article I of the minute of meeting of this Committee of 27th August, 2007 there was submitted Report No 578-2007 by the Assistant Chief Executive (Management) intimating that in view of the very tight timescales, the Assistant Chief Executive (Management) sought and obtained the approval of the Depute Convener of the Policy and Resources Committee to the changes outlined in this report and the Assistant Chief Executive (Management) also consulted the major opposition group.

The Committee agreed that the changes outlined in section 5 of this report be noted.

IX DUNDEE’S OUTDOOR ACCESS STRATEGY - ACTION PLAN UPDATE 2007

After considering Report No 575-2007 by the Director of Leisure and Communities updating the Committee on the progress of Dundee’s Outdoor Access Strategy Action Plan, the Committee approved the plan appended thereto subject to the undernoted amendment.

Page 12 F3.2 Delete “All Primary Schools to receive cycle parking facilities and Grove Academy to receive 50 cycle lockers”.

Insert “City Council Primary Schools to receive cycle parking facilities. 50 cycle lockers to be allocated to one or more High Schools”.

X ANNUAL HEALTH AND SAFETY REPORT 2006/07

There was submitted Report No 579-2007 by the Assistant Chief Executive (Management) and the Council’s Health and Safety Co-ordinator relative to the above.

The Committee approved the Report which would help promote the management of health and safety across the Council and provide information regarding the further development of health and safety management throughout the Council.

Kevin KEENAN, Convener.
APPENDIX

At a MEETING of the PERSONNEL APPEALS SUB-COMMITTEE held at Dundee on 29th October, 2007.

Present:-

Bailie Derek SCOTT

COUNCILLORS

Joe MORROW Christina ROBERTS

Councillor Joe MORROW, in the Chair.

The minute of meeting of this Sub-Committee of 25th June 2007 was held as read.

Unless marked thus * all items stand delegated.

The Sub-Committee resolved under Section 50(A)(4) of the Local Government (Scotland) Act 1973 that the press and public be excluded from the meeting for the undernoted item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraph 1 of Part I of Schedule 7A of the Act.

FINANCE DEPARTMENT - APPEAL AGAINST DISMISSAL (PA62)

It was reported that an appeal against dismissal had been submitted from an employee of the Finance Department.

The Sub-Committee heard the Council's representative and witnesses and thereafter the Appellant and her representative.

After questions had been put and answers given by both parties to each other and the witnesses, and by members of the Sub-Committee, the parties withdrew.

Thereafter, following careful consideration of all the information, the Sub-Committee agreed that the grounds of the appeals had not been substantiated and that the appeal be not upheld.

JOE MORROW, Convener.
At an ADJOURNED MEETING of the **DUNDEE CITY LICENSING BOARD** held at Dundee on 15th November, 2007.

Present:-

**LORD PROVOST John R LETFORD**

**BAILIES**

George REGAN  Roderick A J WALLACE

**COUNCILLORS**

Brian GORDON  Kevin KEENAN  Christina ROBERTS  Ken GUILD

Lord Provost John R LETFORD, Convener, in the Chair.

The minute of meeting of the Licensing Board held on 18th October, 2007 was held as read.

I  **REQUEST FOR SECTION 31 HEARING**

The Board agreed to a request for a Section 31 Hearing in respect of:

(i)  Club Bar, Union Street, Dundee

II  **REQUESTS FOR SECTION 32 HEARINGS**

The Board agreed to a request for Section 32 Hearings in respect of:

(i)  The Eagle Inn, King Street, Broughty Ferry
(ii) The Old Anchor Inn, King Street
(iii) Doc Ferrys Bar, 66 Union Street, Broughty Ferry
(iv) The Taychreggan Hotel, Ellieslea Road, Broughty Ferry
(v)  Visocchis Cafe, Gray Street, Broughty Ferry

III  **LICENSING (SCOTLAND) ACT 2005 - STATEMENT OF LICENSING POLICY**

The Board's statement of licensing policy (Appendix) was submitted and approved.

IV  **LICENSING (SCOTLAND) ACT 1976**

(a) **APPLICATION FOR RENEWAL OF LICENCE**

* Denotes Sunday Opening
$ Denotes Children's Certificates

<table>
<thead>
<tr>
<th>Name</th>
<th>Address of Premises</th>
<th>Type of licence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Call a Keg Limited</td>
<td>Belsize House, 365 South Road, Dundee</td>
<td>Public House *</td>
</tr>
<tr>
<td></td>
<td>Belsize Road, DD2 2RT</td>
<td></td>
</tr>
<tr>
<td></td>
<td>Broughty Ferry, DD5 1NF</td>
<td>(Kettledrum)</td>
</tr>
</tbody>
</table>

The Board, having heard from an officer from Environmental Health and Trading Standards and an agent on behalf of the licensee agreed to grant the above application.
2. James Harvey
   1 Dickson Avenue
   Dundee
   (The Shand)

   Public House *

   The Board, having heard from an officer from Environmental Health and Trading Standards and an
   agent on behalf of the licensee agreed to grant the above application.

3. David A Miller
   70 Logie Street
   Lochee
   Dundee
   DD2 2QE
   (Logie Bar)

   Public House * $

   The Board, having heard from an officer from Environmental Health and Trading Standards and the
   applicant on their own behalf agreed to grant the above application.

4. Munsif Ali Mohammed
   Queen Street Hall
   (First Floor)
   Queen Street
   Dundee
   (Gulistan Snooker Club)

   Entertainment

   The Board agreed to grant the above application.

5. Kathleen Myles
   166/168 Alexander Street
   Dundee
   (Mr Gees)

   Off-Sale

   The Board agreed to grant the above application.

6. Tay Hotels Limited
   51 Gray Street
   Broughty Ferry
   Dundee
   DD5 2BJ
   and John Don Adams

   Hotel $

   The Board agreed to grant the above application.

(b) APPLICATION FOR REGULAR EXTENSION OF PERMITTED HOURS

1. Luminar Dancing Limited
   4/6 South Ward Road
   Dundee
   (Jumpin Jaks)

   Entertainment

   From 11 pm to 2.30 am Mondays to Sundays for late night entertainment and local demand.

   The Board noted that the above application had been withdrawn.
(c) APPLICATION FOR MUSICAL ENTERTAINMENT CONSENT

<table>
<thead>
<tr>
<th>Name</th>
<th>Address of Premises</th>
<th>Type of Licence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Christopher Airlie</td>
<td>17 Arklay Street, Dundee DD3 7LH (Troll Inn)</td>
<td>Public House</td>
</tr>
</tbody>
</table>

Jukebox and Karaoke Mondays to Saturdays 11 am to 12 midnight and Sundays 12.30 pm to 11.30 pm.

The Board, having heard from the applicant on their own behalf agreed to defer the above application.

(d) APPLICATION FOR CHILDREN'S CERTIFICATES

<table>
<thead>
<tr>
<th>Name</th>
<th>Address of Premises</th>
<th>Type of Licence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. David A Miller</td>
<td>70 Logie Street, Dundee DD2 2QE (Logie Bar)</td>
<td>Public House</td>
</tr>
</tbody>
</table>

The Board, having heard from an officer from Environmental Health and Trading Standards and the applicant on their own behalf, agreed to grant the above application from 5 pm to 8 pm Mondays to Thursdays, 12 noon to 8 pm Fridays and Saturdays and 12.30 pm to 8 pm Sundays in part of the lounge only.

2. Tay Hotels Limited and John Don Adams

The Board agreed to grant the above application from 11 am to 8 pm Mondays to Saturdays and 12.30 pm to 8 pm Sundays in the Main lounge and Small lounge.

(e) APPLICATION FOR THE GRANT OF NEW LICENCE

<table>
<thead>
<tr>
<th>Name</th>
<th>Address of Premises</th>
<th>Type of Licence</th>
</tr>
</thead>
<tbody>
<tr>
<td>1. Northwind Leisure (Dundee) Limited and Barry McDermott</td>
<td>Old Glamis Road, Dundee (Land North of Dick McTaggart Sports) G3 7NG</td>
<td>Public House (Provisional (26/1)) including Sunday opening</td>
</tr>
</tbody>
</table>

The Board having heard from an agent on behalf of the applicant agreed to grant the above application in terms of Section 26(2).

Lord Provost John R LETFORD, Convener.
APPENDIX
DUNDEE CITY LICENSING BOARD

STATEMENT OF LICENSING POLICY

2007-2010

UNDER

SECTION 6 OF THE LICENSING (SCOTLAND) ACT 2005

November 2007
1. **INTRODUCTION**

In terms of Section 6 of the Licensing (Scotland) Act 2005 (*the 2005 Act*), every Licensing Board is required to publish a statement of their policy with respect to the exercise of their functions under the Act during the succeeding three year period. In addition, the Licensing Board may, during that three year period, publish a supplementary statement of their policy with respect to the exercise of their functions during the remainder of that period (known as a "supplementary licensing policy statement"). The first three year period is to commence on 30th November 2007. This statement fulfils that statutory requirement for the Board.

In preparing its licensing policy statement (or a supplementary licensing policy statement), the Licensing Board must -

(a) ensure that the policy statement seeks to promote the licensing objectives, and

(b) consult -

(i) the Local Licensing Forum for the Board's area;

(ii) if the membership of the Forum is not representative of all of the interests required to be represented on it, such person or persons as appear to the Board to be representative of those interests of which the membership is not representative; and

(iii) such other persons as the Board thinks appropriate (Section 6(3)(b) of the 2005 Act).

In exercising their functions under the 2005 Act during each three year period, the Board must have regard to its licensing policy statement (and any supplementary licensing policy statement) published by the Board in relation to that period.

The "licensing objectives" referred to above are contained in Section 4 of the 2005 Act and are as follows:-

(a) preventing crime and disorder;

(b) securing public safety;

(c) preventing public nuisance;

(d) protecting and improving public health; and

(e) protecting children from harm.

Dundee City Licensing Board is constituted under Section 5 of, and Schedule 1 to, the 2005 Act. It consists of 10 members and the quorum is five. It is the successor to the Licensing Board with the same name which was previously constituted under Section 1 of the Licensing (Scotland) Act 1976 (*the 1976 Act*). The previous Board already had a number of policies concerning various matters under the 1976 Act and these are set out in Appendix 1 hereto.

Of course, the 2005 Act only makes provision for two types of licence, ie premises and personal licences, as opposed to the seven types of licence previously provided for by the terms of the 1976 Act. The 1976 Act licences continue in the meantime, however, pending the onset of the transition period for the 2005 Act which begins on 1st February 2008. At the moment, there are 477 licences issued by the Board under the 1976 Act and the types of licence are as follows:-
Public House Licences - 169;
Hotel Licences - 28;
Restaurant Licences - 56;
Restricted Hotel Licences - 7;
Refreshment Licences - 12;
Off Sales Licences - 162; and
Entertainment Licences - 43.

In August 2005, the Board issued a consultation document to enable it to obtain the views of interested parties in accordance with its duties under Section 6(3)(b) of the 2005 Act outlined above. As part of this consultation process, the following were invited to comment:-

The Local Licensing Forum;
Dundee City Council
Community Councils;
Elected Members, MPs and MSPs for the City of Dundee area;
Dundee Children's Protection Committee;
Tayside Police;
Tayside Fire and Rescue;
NHS Tayside;
Dundee Chamber of Commerce;
Dundee Partnership;
Visit Scotland Angus & Dundee;
Scottish Beer and Pub Association;
Anyone else with an interest in Licensing issues.

The original consultation document can be viewed on the Dundee City Council website www.dundeecity.gov.uk

The Board has also had regard to the Guidance issued by Scottish Ministers referred to at p.6 of this document.

This policy will be kept under review during the succeeding 3 year period and we will consult regularly with interested parties and stakeholders in relation to the contents hereof.

This policy has been drawn up during a time when a number of the regulations to be made under the Act are still completing their legislative procedure. Accordingly, this policy may require further revision in light of any such regulations or further guidance issued by the Scottish Government.

This policy does not affect the right of any person to apply in terms of the 2005 Act and to have any such application considered on its individual merits. Any person may make representations in relation to an application or seek review of a licence where provision is made for this in the 2005 Act.
2. THE LICENSING (SCOTLAND) ACT 2005 - A BRIEF OVERVIEW

As mentioned in the Introduction, the provisions of the Licensing (Scotland) Act 2005 come fully into force from 1st September 2009. There is a transition period beginning on 1st February 2008 during which all of the existing licences granted under the Licensing (Scotland) Act 1976 will require to be transferred to the new system under the 2005 Act. All existing 1976 Act licences will continue to run until 1st September 2009 when they will terminate automatically.

Under the 2005 Act, the existing categories of licence (eg public house, hotel, refreshment etc.) are to be discontinued and, instead, will be replaced by a single premises licence in respect of the actual premises and, separately, a personal licence or licences allowing named individuals to supervise or authorise the sale of alcohol on the premises concerned. Whilst premises licences will last indefinitely (subject to payment of an annual retention fee to the licensing board), personal licences last for a period of 10 years from the date of issue and may then be renewed for further periods of 10 years at a time.

Premises Licences

A premises licence authorises the sale of alcohol on the premises. It is granted by the Licensing Board for the area where the premises are situated. An application for a premises licence may be made by any person aged 18 or over and must contain a description of the premises; an operating plan for the premises; a layout plan of the premises; and appropriate certificates in relation to planning, building standards and food hygiene (if food is to be sold on the premises).

Of course, it should be noted that, during the transition period from 1 February 2008 until 1 September 2009, existing licence holders applying for new licences under the 2005 Act on a "like-for-like" basis will be exempt from the requirement to provide planning, building standards or food hygiene certificates.

Where a Licensing Board receives such an application, it must give notice to:-

- each person having an interest in neighbouring land;
- any Community Council within whose area the premises are situated;
- the Council within whose area the premises are situated;
- the appropriate Chief Constable; and
- the Enforcing Authority within the meaning of Section 61 of the Fire (Scotland) Act 2005 in respect of the premises.

Each notice of the premises licence application must be accompanied by a copy of the application. Once an application is received for a premises licence, the Licensing Board must hold a hearing for the purpose of considering and determining the application, taking into account appropriate plans and certificates accompanying the application, any police notices relating to convictions on the part of the applicant or any person connected with the applicant, or objections or representations made to it.

In considering and determining the premises licence application, the Board must consider whether any grounds for refusal of the application apply. If no grounds for refusal apply, the Board must grant the application. If there are grounds for refusal, the Board must refuse the application. The grounds for refusal are as follows:-

- the premises are "excluded premises";
- the application is within one year after the refusal of a previous premises licence application;
- the application is for a 24 hour licence (unless the Board is satisfied that there are exceptional circumstances to grant this);
- if the application is in relation to off-sales, it proposes hours for alcohol to be sold on the premises either before 10 am or after 10 pm or both;
- the Board considers that the granting of the licence would be inconsistent with any one or more of the licensing objectives (narrated in the Introduction hereto);
- the Board considers the premises to be unsuitable for use for the sale of alcohol; and
- the Board considers that granting the application will result in over-provision in the locality.
Where the Board considers that they would refuse the application in the form in which it is made, but would accept it if a moderation is made to the operating plan, they may propose this to the applicant and subsequently grant the application on this condition.

**Personal Licences**

To be eligible to apply for a personal licence, the applicant must:

- be 18 years or over;
- possess an accredited licensing qualification; and
- not have had a personal licence revoked within the period of 5 years ending with the day on which the application for the personal licence is made.

Applications require to be copied to the appropriate Chief Constable, who must respond to the Licensing Board within 21 days with a notice confirming any relevant or foreign offences of which the applicant for the licence has been convicted and, if there are such offences, the police can recommend refusal of the application.

The Licensing Board must grant a personal licence application if they are satisfied that the applicant meets the criteria above and there is no notice from the Chief Constable of any relevant or foreign offences. If there is such notice from the Chief Constable, the Board must hold a hearing for the purpose of considering and determining the application. After such hearing, the Board must, having regard to the notice from the Chief Constable, either grant the application or, if it is satisfied that it is necessary to do so for the purposes of the crime prevention objective, refuse the application.

**Objections and Representations to Premises and Personal Licences**

Any person may, by notice to the Licensing Board, object to the premises licence application on any relevant ground for refusal. Such person may also make representations to the Board either in support of the application, seeking modifications to the operating plan or conditions to be imposed upon the grant of any licence. The Chief Constable may object to the premises licence application only on the ground that the applicant or any person connected with the applicant is involved in serious organised crime and that it is necessary for the purposes of the crime prevention objective that it is refused. Where notice of objection or representation is received by the Licensing Board, it must give a copy of the notice to the applicant and have regard to the notice in determining the application. A notice of objection or representation may be rejected by the Board if it considers it to be frivolous or vexatious.

(As noted above in relation to personal licences, only the Chief Constable may serve notice on the Board and this relates to any relevant or foreign offence of which the applicant for the licence has been convicted. In such circumstances, the Board is obliged to hold a hearing into the application.)

**Other permissions**

Apart from the two types of licence referred to above, the 2005 Act also makes provision for a number of other permissions to be granted by a Licensing Board. These are set out in the following paragraphs, together with the powers of the Board to review existing licences.

**Occasional Licences**

Premises (other than licensed premises) may be issued an occasional licence authorising the sale of alcohol on the premises, providing the application is made by a premises or personal licence holder, or a representative of any voluntary organisation. This type of licence is likely to be used for events (eg a wedding reception) not held in premises already licensed for the sale of alcohol. An occasional licence can have effect for no more than 14 days. Where an application is made for an Occasional Licence, any person may object to the application on any ground for refusal or make representations to the Board concerning the application. Representations can be made either in support of or against granting the application. Applications are also copied to the Chief Constable and any Licensing Standards Officers for the Licensing Board's area. Provided there are no adverse reports from the
Chief Constable, Licensing Standards Officers or any objections or representations, the Board must grant the application. Failing this, the Board must hold a hearing to determine the application. The grounds for refusal are similar to those relating to premises licence applications.

**Provisional Premises Licences**

This is an application in relation to premises which are being constructed or converted for use as licensed premises. A provisional premises licence has no effect until confirmed by the Licensing Board. The licence has to be confirmed within two years, otherwise it will automatically be revoked. This two year period can be extended if the construction or conversion work of the premises is delayed for reasons outwith the control of the licence holder.

Section 47 of the 2005 Act makes further provision in respect of temporary premises licences and this applies where any licensed premises are undergoing, or are about to undergo, reconstruction or conversion. On application to the Licensing Board, the licence holder can obtain a temporary premises licence in respect of other premises within the Board's area, provided that the other premises are suitable for use for the sale of alcohol and the Board is satisfied that it is necessary to grant the application to enable the applicant to carry on business pending reconstruction or conversion of the principal premises. Such temporary licence has effect for a maximum period of two years and is subject to the same conditions as those to which the principal premises licence is subject. The two year period can be extended for a maximum further period of twelve months on application by the licence holder.

**Extended Hours Applications**

The Licensing Board may, on application by a premises licence holder, extend the licensed hours by such period as is specified in the application or such other period as the Board consider appropriate, in connection with a special event or occasion to be catered for on the premises, or an event of local or national significance. Applications must be copied to the appropriate Chief Constable and Licensing Standards Officers. The Board must take into account any comments from the Chief Constable or Licensing Standards Officers and may hold a hearing for the purposes of determining the application. Where the Board decides not to hold a hearing, it must ensure that, before determining the application for extended hours, the applicant is given sufficient opportunity to comment with regard to any notices and reports submitted either by the Chief Constable or Licensing Standards Officers.

**Variation and Transfer of Premises Licences**

A premises licence holder may apply to the Licensing Board for a variation of the licence. This can be any variation of:-

- conditions to which the licence is subject, other than mandatory conditions;
- information contained in the operating plan;
- the layout plan contained in the licence; and,
- any other information contained or referred to in the licence.

If the application is for a "minor variation", this must be granted by the Licensing Board. A "minor variation" means any variation of the layout plan which is not inconsistent with the operating plan, any restriction of the terms in which children or young persons are to be allowed entry to the premises or any variation of the information contained in the licence relating to the premises manager. If the variation does not fall within the categories of minor variation, the application must be the subject of a hearing before the Board for the purposes of considering and determining the application. If none of the statutory grounds for refusal apply, the Board must grant the application. Equally, a premises licence holder may apply to the Board for the transfer of the licence to another person. If the Board receives a notice stating that neither the person to whom the licence is proposed to be transferred nor any person connected with him has been convicted of any relevant or foreign offence, they must grant the application. If there is notice of any such convictions, the Board must hold a hearing for the purpose of considering or determining the application. The person to whom it is proposed to transfer the licence may make the application in certain prescribed circumstances, eg upon purchase of the licensed premises concerned.
Operating Plan

This must accompany an application for a premises licence and should set out clearly the proposals for the operation of the licensed premises, including activities to be undertaken on the premises, proposed opening hours and the applicant's policy in relation to children. Applicants should be aware of the expectations of the Licensing Board and any responsible authorities on steps which are necessary for the promotion of the licensing objectives.

Review of Premises Licenses

Any person may apply to the Licensing Board for a review of a premises licence on the grounds that one or more of the licensing conditions attached to the licence have been breached, or any other ground relevant to one or more of the licensing objectives. The Board can also review any premises licence in their area on their own initiative. This must also relate to the grounds of review referred to above. Where the Board makes or receives a review application, they must hold a hearing for the purposes of considering and determining the application. If the Board is satisfied that there are grounds for review and that these are established, it can:-

- issue a written warning to the licence holder;
- vary a licence;
- suspend the license for a period; or
- revoke the licence.

Review of Personal Licences

The Licensing Board must hold a review hearing into a personal licence should it become aware of the holder of the licence having been convicted of a relevant or foreign offence. Following such a hearing the Licensing Board, should it consider that action should be taken, may revoke the licence, suspend it for a period or endorse the licence. Should a personal licence holder receive three endorsements from the Licensing Board, the Board must hold a further hearing where it can either take no action, or suspend or revoke the licence (Section 86 of the 2005 Act).

3. POLICY ISSUES

As can be seen from the preceding section outlining the powers of the new Licensing Board and the kind of decisions it will require to make under the 2005 Act, there is a still a great deal of discretion involved in the discharge by the Board of its licensing functions. Applicants for, and holders of, licences require to have notice as to the manner in which the Board is likely to exercise these discretionary powers and also of the expectations of the Board as far as the conduct and operation of licensed premises is concerned. This is why the previous Board, although under no legal duty to do so, introduced the range of policies in relation to 1976 Act licences set out in Appendix 1.

The 2005 Act now imposes a statutory requirement upon Licensing Boards to produce three-yearly policy statements, as is explained more fully in the Introduction. Nevertheless, it will still be open to applicants and licence holders to seek to convince the Board that any policy or policies so adopted should not apply in the circumstances of their own individual case.

Guidance for Licensing Boards and Local Authorities

Under the terms of Section 142 of the 2005 Act, Scottish Ministers have issued guidance to Licensing Boards as to the exercise of their functions under the Act. The final version of the first ministerial guidance was approved by the Scottish Parliament on 7th March 2007. As far as statements of licensing policy are concerned, the guidance contains a number of recommendations for Licensing Boards. As noted in the Introduction, Section 6 of the 2005 Act requires the Licensing Board, when preparing its policy statement, to ensure that this seeks to promote the licensing objectives. In addition, the Licensing Board must have regard to the ministerial guidance and it will, therefore, be useful to note the recommendations of the Guidance in so far as they relate to each of the policy issues detailed below.
In general terms, the Guidance says that statements of licensing policy should make clear that licensing is about regulating the sale of alcohol and the premises on which alcohol is sold, and for connected purposes within the terms of the Act. A statement of policy should also make clear that licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are no longer on licensed premises and beyond the direct control of the licence holder.

**Overprovision of Licensed Premises**

In terms of Section 7 of the 2005 Act, each licensing policy statement must include a statement as to the extent to which the Board considers there to be overprovision of either licensed premises in general or licensed premises of a particular description in any locality within its area. It is for the Board to determine the localities for this purpose and it must also have regard to the number and capacity of licensed premises in any particular locality. In making the assessment as to whether or not there is overprovision, the Board is required to consult with the Chief Constable and also such persons as appear to the Board to be representative of the interests of premises licence holders and persons resident within the locality, together with the views of such other persons as the Board thinks fit.

The duty under Section 7 does not come into effect until 1st September 2009 in recognition of the fact that the task of assessing the capacity of licensed premises is quite a significant one. The delay until September 2009 will give Licensing Boards sufficient time to assess the number and capacity of licensed premises in their area to enable a more accurate assessment of overprovision to be made. At that point, the Board will have more accurate information at its disposal to help it to inform any policy on overprovision.

**Licensing Hours**

Under the 1976 Act, the opening hours of licensed premises were fixed according to the type of licence involved. These were as follows:

(a) Public House and Refreshment Licences -
   • Monday to Saturday - 11.00 a.m. to 11.00 p.m.;
   • Sunday - 12.30 p.m. until 2.30 p.m. and 6.30 p.m. until 11.00 p.m. (provided the premises have been granted Sunday opening);

(b) Hotel, Restricted Hotel, Restaurant and Entertainment Licences:-
   • Monday to Saturday - 11.00 a.m. to 11.00 p.m.;
   • Sunday - 12.30 p.m. until 2.30 p.m. and 6.30 p.m. until 11.00 p.m.;

(c) Off Sales Licences -
   • Monday to Saturday - 8.00 a.m. until 11.00 p.m.;
   • Sunday - 12.30 p.m. until 10.00 p.m.

These permitted hours could be extended on either a regular or occasional basis in respect of Public House, Hotel, Restricted Hotel, Restaurant, Entertainment and Refreshment Licences. Equally, registered Clubs could apply for extensions, even although their main registration was with the Sheriff Clerk. This is obviously different under the 2005 Act and Clubs require to obtain a premises licence in the same way as the other types of establishment referred to above.

Under the 2005 Act, the concept of permitted hours in terms of periods fixed by statute is discontinued. Instead, applicants for licences will require to specify in their operating plan the hours during which they intend to be open. (Although off-sales premises are to be restricted to a maximum period of 10.00 a.m. until 10.00 p.m. each day). As mentioned above, the previous Board introduced fairly detailed policies with regard to opening hours in the City of Dundee and these are shown in the first paragraph in Appendix 1 to this document.
The Guidance reminds Licensing Boards that they must observe the requirement set out in Section 64 of the 2005 Act which provides a presumption against routine 24 hour opening of licensed premises, other than in limited exceptional circumstances. It is recommended that Licensing Boards should consider exceptional circumstances to cover only special events such as one-off local or national festivals. In considering applications for licensed hours, Boards may wish to consider applications for up to 14 hours as being reasonable but local circumstances and the views of the Local Licensing Forum should always be considered.

It should be borne in mind that premises which wish to open after 1.00 a.m. will be the subject of mandatory licence conditions and these are contained in The Licensing Conditions (Late Opening Premises) (Scotland) Regulations 2007.

Having considered the views of consultees, the Board has decided to adopt a similar approach to its previous policy under the 1976 Act. This will mean that premises whose principal purpose is the provision of entertainment, e.g. discotheques and nightclubs, would be permitted to open until 2.30 am, as also would premises offering mainly restaurant facilities. All other licensed premises would be permitted to remain open until 12.00 am.

As far as the time of opening is concerned, the Board notes the terms of the Guidance referred to above. However, it has decided that 13 hours would be reasonable to meet local circumstances and to take account of the views of the Local Licensing Forum.

Of course, each application will be dealt with according to its individual merits. The Board will take into account all the statutory licensing objectives in assessing any application for a licence, including the hours of trading. Any applicants seeking to open outwith the terms of the policy outlined above will require to convince the Board that those are exceptional circumstances to justify this and that there would be no conflict with the licensing objectives. For example, the Board would generally favour allowing dedicated function suites within licensed premises to remain open until 1.00 am and entertainment premises providing food in accordance with the policy set out below to open until 3.30 am.

As noted on page 5 above, a premises licence holder may, under the 2005 Act, apply for an extension of the hours approved by the Board in the operating plan provided that this is in connection with a special event or occasion to be catered for on the premises, or an event of local or national significance. Under the 1976 Act, such applications are dealt with as applications for an occasional extension of the permitted hours and the current policy of the Board is detailed at paragraph 6 of Appendix 1. In addition to applications from individual licence holders, Section 67 of the 2005 Act will enable Licensing Boards to grant a general extension of licensed hours to enable premises to open for specified extended hours on particular specified occasions, e.g. local holidays, international sporting events, etc. The grant of such a general extension of hours can apply to the whole of the Board's area, to specified parts only, to all premises in the area or specified or particular types of premises. It is considered that this power would be akin to the Board's previous practice of designating occasional extension dates on an annual basis after consultation with the Local Licensing Forum. The Board will also request observations from the Chief Constable and other interested parties and will consider additions to the list of dates.

**Provision of Food and Non-Alcoholic Refreshments in Entertainment-Licensed Premises**

On 20th October 2005, the Licensing Board approved a policy whereby entertainment licensed premises would be allowed to open for an additional hour from 2.30 a.m. until 3.30 a.m. on Saturdays and Sundays for the provision of food and non-alcoholic refreshments only. This followed a report containing recommendations from the Evening Economy Working Group which were aimed at tackling the increasing incidences of persons gathering outside late hours catering establishments once entertainment-licensed premises closed at 2.30 a.m. Any premises wishing to take advantage of this extra hour could either provide the food by means of an arrangement with late hours caterers in the area whereby food could be delivered to the entertainment-licensed premises and consumed by patrons thereon or, alternatively, the entertainment-licensed premises could provide the food themselves.
To date, regular extensions to 3.30 a.m. have been granted on the above understanding, but have not yet been implemented since a number of late hours catering establishments have appealed to the Sheriff against the decision of the Licensing Committee to curtail their opening hours to 2.30 a.m., unless such establishments were willing to enter into an arrangement to provide food to entertainment-licensed premises as narrated above. It is anticipated that, after some delay, these appeals will shortly be heard by the Sheriff. In the event that the policy is supported by the Courts, and given the fact that it has not yet been tested in practice, this policy will continue under the new Board.

**Minimum Entry Charge for Premises Providing Entertainment**

Previously, the Board operated a policy whereby the undernoted condition was attached to Entertainment Licences for premises such as Discotheques, namely:-

"A minimum charge for entry to premises, applicable to persons of 18 years of age and over, must be charged. This charge shall be fixed by the Licensing Board at its meeting in June of each year for the year beginning 1st July and ending 30th June. This minimum charge must not be offset in any way. For the avoidance of doubt, offsetting the minimum charge includes, but is not limited to (a) the issue of complimentary tickets or vouchers; and (b) the advance purchase of tickets granting entry on more than one evening".

The Board has decided to maintain this condition and would intend attaching it to licensed premises whose primary function is the provision of entertainment and which seek to remain open after 12.00 am. It is proposed that, from 1st July 2008, the minimum charge be increased from £2.50 to £3.50.

**Operating Plan**

All applications for premises licences must be accompanied by an operating plan making clear how the premises are to be run, what activities will be undertaken thereon and at what time(s). An operating plan in relation to any premises is a document in the prescribed form containing:-

- A description of the activities to be carried on in the premises;
- A statement of the times during which it is proposed that alcohol be sold on the premises;
- A statement as to whether alcohol is to be sold for consumption on the premises, off the premises or both;
- A statement of the times at which other activities in addition to the sale of alcohol are to be carried out on the premises;
- Where alcohol is to be sold for consumption on the premises, a statement as to whether children or young persons are to be allowed entry to the premises and, if they are allowed entry, a statement of the terms on which they are to be allowed entry including, in particular, the ages of children or young persons concerned, the times at which they are to be allowed entry and the parts of the premises to which they are to be allowed entry;
- Information as to the proposed capacity of the premises;
- Prescribed information about the individual who is to be premises manager; and,
- Such other information in relation to the premises and to the activities to be carried thereon as may be prescribed.

As noted above, a premises manager must be specified in the operating plan. The Board will expect the premises manager to have day-to-day responsibility for running the premises and to be present at the premises on a regular basis when alcohol is being sold. Staff will require to be appropriately trained to the standards required by the 2005 Act. The Board will also expect applicants for premises licences to have arrangements in place for the management and supervision of the premises on those occasions when the premises manager is absent from the premises. Ideally, the Board would wish to see at least one personal licence holder on the premises at all times when alcohol is being sold. The Board appreciates that this may not be possible with smaller establishments. However, and in any event, the Board will expect there to be within all licensed premises proper management arrangements in place which will ensure that there are responsible, trained persons on the premises sufficient to comply with the premises licence holder’s statutory responsibilities and the terms and conditions of the licence. The operating plan should also address the issue of controlling noise behaviour from the premises and the maintenance of both internal and external repair and decor.
Where applicants propose to provide outside seating, tables or other such facilities (excluding pavement cafes for which provision is made below), the area should be included on the plan of the premises to be licensed. In addition, the operating plan should indicate that due consideration has been given to the need to ensure that the use of such areas will not cause disturbance or nuisance to the occupiers of other premises in the vicinity and effective management controls, supervision and other measures will be put in place to ensure that the use of such areas does not have any detrimental impact in the vicinity.

Sale for Consumption off the Premises and Occasional Licences

Applicants for licences for premises which are to be used for the sale of alcohol for consumption off the premises will be expected to address the five licensing objectives in their operating plan.

The Board is concerned to ensure that all possible steps are taken in this area to promote the licensing objectives. It will work towards the adoption of a policy concerning the layout of such premises and the responsible display of intoxicating liquor in premises, which are not exclusively or mainly used for the sale of alcohol. The Board will monitor developments in the area of test purchasing and will take appropriate action as part of its wider alcohol agenda.

Consideration will be given to adopting a standard condition relating to proof of age, without which no sale will be made.

The Board notes that, during the course of the consultation period, the Scottish Government have brought forward The Licensing (Mandatory Conditions NO 2) (Scotland) Regulations 2007 in draft form and that these contain a proposal for a mandatory condition regarding the display of alcohol for consumption off the premises. This is to the effect that displays of alcohol for consumption off the premises must be confined to a single area of the premises to be agreed between the applicant for a premises licence and the Board. This will require to be shown in the layout plan accompanying the application. In accordance with the proposed amendment to the Guidance to reflect this new requirement (which will come into effect from 1st February 2008), the Board would not be minded to approve any such layout plan including a number of alcohol display areas, or where empty aisle space is used to join up several displays which would not otherwise be regarded as a single separate display area. There will be no exceptions or special arrangements for seasonal or special displays for other events or occasions. Any wish to vary the area will require an application to the Board.

The Board proposes to continue with the practice of inviting applications for occasional licences in respect of pavement cafes. These would be considered for periods of 14 days at a time between March and October in each calendar year. In addition to the mandatory conditions contained in Schedule 4 to the 2005 Act, the Board would intend to impose some or all of the conditions shown at Appendix 3 to this statement of licensing policy, where it considers this to be necessary or expedient for the purposes of any of the licensing objectives.

With regard to occasional licences generally, the Board will expect applicants to ensure that they have sufficient management and other arrangements in place to comply with the licensing objectives, particularly where the application is from a voluntary organisation. The Board will consider the imposition of such additional conditions as it thinks are necessary under Section 60 of the 2005 Act, including the use of plastic containers, bottles and glasses.

Children on Licensed Premises

The Board will, in furtherance of the licensing objective of protecting children from harm, seek advice from and have regard to the views of the Dundee Children's Protection Committee.

The Board wishes to see family friendly premises thriving in the city. It will welcome applications from those who wish to operate licensed premises which accommodates children. In determining any such application the risk of harm to children will be a paramount consideration for the Board.
Where applicants wish to operate such premises, the Board expects them to appreciate that this places additional responsibilities upon them, at the same time recognising that parents and other adults accompanying children also have responsibilities.

Applicants will be expected to demonstrate in their operating plan that suitable and sufficient measures have been identified and will be implemented and maintained to protect children from harm, relevant to the individual style and characteristics of their premises and the licensable activities for which a licence is being sought.

The following examples of control measures are given to assist applicants who may adopt them in any combination. They are considered to be among the most essential that applicants should take account of in their operating plan, having regard to their particular type of premises or activities:

- effective and responsible premises management
- appropriate instruction, training and supervision of those employed to secure the protection of children from harm
- adoption of best practice guidance
- limitations on the hours when children may be present, in all or parts of the premises
- limitations or exclusions by age when certain activities are taking place
- imposition of requirements for children to be accompanied by an adult
- acceptance of accredited proof of age cards with photographs, or passports
- measures to ensure children do not purchase, acquire or consume alcohol
- measures to ensure children are not exposed to incidences of violence or disorder

In preparing and presenting the operating plan, applicants should be aware that the Board expects premises to be run in a way compliant with, and promoting, the licensing objectives and will expect the operating plan to meet these objectives. Although guidance may be sought from the Clerk to the Board and Licensing Standards Officers, it is for the applicant to ensure that the operating plan is in the correct form and covers all aspects of the operation of the premises as outlined above.

**Best Bar None**

In 2005, the Licensing Board approved the adoption of the "Best Bar None" (BBN) Scheme in Dundee and the first award winners were announced in August 2006. The BBN award is granted to premises which demonstrate a commitment to social responsibility and the safety of people using them. The award, which aims to cut down on alcohol-related crime and irresponsible drinking, encourages premises to be safer, more sociable environments and allows customers to relax and enjoy their evening. Premises gaining the award are able to display a plaque to show the public that they have reached the required standard, thus giving customers more informed choices when deciding where to visit, and supporting premises who seek to trade at a higher standard.

The first year of this scheme was a great success and it is intended that it continue in the future. It is important that the new Board’s policy reflects support for the continuance of the scheme and that this be reflected in this Statement. For the avoidance of doubt, however, the Board does not require licence holders to participate in the scheme, but it does commend such participation as good practice.

**Procedure for Dealing with Applications for Licences, Etc.**

The various types of applications and matters which the Board will require to deal with have been set out in Part 2 of this document. However, the Act recognises that not every application should require to be the subject of a Hearing before the Board and allows quite a considerable amount of delegation to the Clerk, should the Board so decide.
Those applications which require to be submitted to the Board for a Hearing are as follows:-

- application for premises licence;
- application for variation of premises licence where the variation sought is not a minor variation;
- application for transfer of premises licence where the applicant has been convicted of a relevant or foreign offence;
- application for a personal licence (new application or renewal) where the applicant has been convicted of a relevant or foreign offence;
- a Hearing on an application for review of a premises or personal licence;
- making a closure order; and
- refusing an application for confirmation of a provisional premises licence.

All other matters can potentially be delegated and these include:-

- applications for transfer of a premises licence where the applicant has not been convicted of a relevant or foreign offence;
- applications for variation of a premises licence where the variation is a minor variation;
- applications for personal licences (new and renewal) where the applicant has not been convicted of a relevant or foreign offence;
- applications for occasional licences where there is no notice of objection or representation or no notice from the Chief Constable recommending refusal;
- grant of occasional extensions of licence to hours for a special event of local or national significance; and
- grant of extended hours applications where the Chief Constable has not submitted an objection.

It is proposed that only those matters where there is a statutory requirement for a hearing will be dealt with at a meeting of the Board and that all other matters be delegated to the Convener in terms of Paragraph 10(1) and (2) of Schedule I to the 2005 Act.

The procedure at any hearing before the Board will be to hear from the objector or person making a representation or making a complaint to the Board first. At that point the Board may ask questions of that person. The licence holder/applicant and/or their agent would then have the opportunity to respond and answer any questions that might be asked by members of the Board. After any further discussion, there would then be final submissions by all parties present, whereupon the Board would then consider its decision. It would not normally be the practice of the Board to hear evidence from witnesses. In the event that the procedure at hearings is made the subject of regulations or further guidance from Scottish Ministers, this policy statement would be superseded to that extent.

The Board acknowledges the mandatory conditions laid down in Schedules 3 and 4 to the 2005 Act and is aware that other conditions are to be included in various regulations under the Act. Appropriate use will be made of all such conditions and, in addition, where relevant representations are made, the Board will consider whether any other conditions need to be attached to a licence to secure achievement of the licensing objectives.

**Relationship with other Strategies and Regimes**

The Board will endeavour to secure proper integration with local crime prevention, community safety, health, planning, transport, tourism, race equality and cultural strategies.
There are a number of wider issues which may need to be given due consideration when dealing with applications. The Board will receive, when appropriate, reports on the needs of the local tourism authority to make sure that these are reflected in the Board’s consideration. Also, the Board recognises that licensing applications should not be seen as a re-run of the planning process and there will be a clear separation of the planning and licensing regimes to avoid duplication and inefficiency. However, there will continue to be proper liaison and communication between these two regimes. The Board will, so far as possible, avoid duplication with other regulatory regimes such as health and safety at work and fire safety. The Board will liaise with the Dundee Drug and Alcohol Action Team (DAAT), which is represented on the Local Licensing Forum. The Board will also have regard to any strategy of the Scottish Government designed to address the social, health and crime and disorder issues raised by the misuse of alcohol.

All premises for which a licence is being sought will be expected to comply with the building standards requirements in force at the time of their construction, or at the time of any alteration. This is particularly relevant in respect of the licensing objectives relating to public health and public safety. Where construction work is proposed or completed, the applicant should be able to produce appropriate certificates issued by the local authority.

Other statutory requirements may apply to the provision of any activities at premises and the responsibility for compliance lies with the licence holder. For example, if the activity involves the preparation and/or sale of food then it is the responsibility of the applicant to ensure that all appropriate food safety legal requirements are met. It is not a requirement of any licence decision to address these matters but a responsible licence holder will conform to all relevant legislation.

The Board will at all times have due regard to the terms of the Sex Discrimination Act 1975 (as amended), the Race Relations Act 1976 (as amended) and the Disability Discrimination Act 1995 (as amended). In addition, the Board has already issued gender, race and disability equality schemes which are available on the Dundee City Council website www.dundeecity.gov.uk.

Enforcement

Dundee City Council, as the appropriate local authority, will employ Licensing Standards Officers in accordance with the terms of the 2005 Act. LSO’s will investigate allegations of unlicensed activities, ensure compliance with licensing conditions and provide information and guidance to applicants and licence-holders. At the time of publication of this document, it has not yet been decided how many LSO’s will be appointed or where they will be based within the Council’s framework. Further details will be provided in this regard in due course.
APPENDIX 1
LICENSING BOARD - 1976 ACT POLICIES

1. Regular Extensions

Public houses will be granted permission to open all day until midnight Mondays to Sundays for the general public and on Sunday afternoons from 2.30 pm to 6.30 pm. Extensions have not been granted in public houses prior to 11 am.

Public houses which have a function suite which is used solely for private functions and no other purpose will be granted extensions in respect of the function suite only until 1 am Mondays to Sundays. If the function suite doubles as a lounge bar then permission would not be granted beyond 12 midnight.

Discos would normally be granted permission to open until 2.30 am daily, including Sundays and casinos until 4 am.

Where Regular Extensions are granted the following conditions are usually attached:-

1. Where the licence holder employs or uses any person at or near the entrance or within these premises to ascertain or satisfy his or herself as to the suitability of customers to be allowed into the premises and/or maintain order and/or safety at or in the premises, the person so employed must be registered as suitable for such employment or usage by the Licensing Board.

2. All music or vocals must be controlled to the satisfaction of the Head of Environmental Health and Trading Standards of Dundee City Council so that no noise is audible within the same building as the licensed premises or in a nearby building.

3. Where in doubt as to a person's age, Licensees must ask for photographic ID and operate a "no proof no sale" policy.

4. Licensees must not encourage binge drinking via the use of "Happy Hours" on their licensed premises. This will also extend to "all in" promotions whereby unlimited amounts of alcohol may be obtained upon payment of a fixed price or entrance fee.

5. Licensees must avoid the use of advertising campaigns designed specifically to entice younger patrons to the licensed premises by virtue of promotions for the sale of alcoholic liquor at discounted prices.

6. Maximum occupant capacities of a venue, as advised by the Clerk to the Licensing Board, must not be exceeded.

7. Licensees of Nightclubs must comply at all times with any minimum charge for entry for patrons condition imposed by the Licensing Board.

8. There must be no touting by or on behalf of entertainment licence holders by whatever means (excluding within their own premises) within the areas from time to time designated by the Board. Without prejudice to the foregoing generality, there shall be no tickets, leaflets, flyers, vouchers or similar items issued to prospective patrons for the purpose of advertising, or otherwise obtaining custom for, particular entertainment-licensed premises.

9. Licence holders shall not, either themselves or by any employee or agent, attract custom by the use of illegal fly-posting."
2 **Entertainment Licences**

The undernoted conditions are always attached to Entertainment Licences as far as discos are concerned:-

"A minimum charge for entry to premises, applicable to persons of 18 years of age and over, must be charged. This charge shall be fixed by the Licensing Board at its meeting in June of each year for the year beginning 1 July and ending 30 June. This minimum charge must not be offset in any way. For the avoidance of doubt, offsetting the minimum charge includes, but is not limited to (a) the issue of complimentary tickers or vouchers; and (b) the advance purchase of tickets granting entry on more than on evening".

The present charge is £2.50.

3 **Amusements with Prizes**

A resolution in November 1977 limits the number of machines for gaming by way of amusements with prizes within any premises to two. Premises means the premises as a whole, so a public house consisting of a public bar and a lounge bar would only be permitted to have a total of two machines and not two in each of the public and lounge bars. (This policy will be redundant after 1 September 2007 when the provisions of the Gambling Act 2005 take effect.)

4 **Children's Certificates**

The hours of operation are normally restricted to the recognised lunchtime and teatime periods unless the applicants can demonstrate that meals are provided all day between 11 am and 8 pm. The Board have also refused to grant certificates in the vicinity of Dens Park and Tannadice on match days.

The Board also attach the following condition to Children's Certificates:-

During hours when the Children’s Certificate is in force, smoking shall be prohibited in all parts of the licensed premises of which the premises specified in the application for the certificate form part.

5 **Visits to Premises by Members**

A Sub-Committee will visit a selection of licensed premises prior to each quarterly meeting.

6 **Occasional Extensions**

The Board will grant an Occasional Extension of the Permitted Hours for a maximum period of four weeks on the grant of a new licence and will also grant a similar extension to licence holders who forget to re-apply for a regular extension.

The Board will also grant any additional hours, i.e. to 1 am and 3.30 am for public houses and nightclubs respectively on holiday weekends etc throughout the year.

7 **Pavement Cafes**

The Board will grant permission to licence holders to allow them to operate pavement cafes immediately outside their premises subject to conditions. Applications will be granted for two week periods at a time. The fee is £17 per application.

8 **Beer Gardens**

Any publican or hotelier who wishes to turn any exterior ground into a beer garden will require to apply for the grant or the provisional grant of a new licence.
Proprietary Clubs

Where proprietary clubs (normally snooker clubs) apply for an Entertainment Licence, then the Board normally attach a condition to the effect that the club must be operated in terms of the rules as approved by the Board, and these rules must be submitted with the application. Any amendment to the rules must also be approved by the Board. Consideration of minor amendments is delegated to the Chairman and Clerk.

Price Lists

The Board have, in the past, expressed concern if price lists were not displayed in a prominent position. The proper authority for the regulation of price lists within licensed premises is the Trading Standards Department.

Renewal Notice

Renewal notices are not issued unless the licence holder is a member of the renewal scheme, which involves the payment of a separate fee. Full details of the scheme are given to licence holders upon the grant of a new licence or the transfer of an existing licence. (Under the Licensing (Scotland) Act 2005, only personal licences will require to be renewed.)
# APPENDIX 2

## OCCASIONAL EXTENSION DATES 2007

<table>
<thead>
<tr>
<th>No.</th>
<th>Dates</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>30th March - 2nd April, 2007</td>
<td>Spring Holiday Weekend (2nd April)</td>
</tr>
<tr>
<td>2</td>
<td>6th April - 9th April, 2007</td>
<td>Easter Holiday</td>
</tr>
<tr>
<td>3</td>
<td>4th May - 7th May, 2007</td>
<td>May Holiday Weekend (7th May)</td>
</tr>
<tr>
<td>4</td>
<td>25th May - 28th May, 2007</td>
<td>Victoria Day (28th May)</td>
</tr>
<tr>
<td>5</td>
<td>29th June - 1st July, 2007</td>
<td>Dundee Blues Bonanza</td>
</tr>
<tr>
<td>6</td>
<td>1st July - 8th July, 2007</td>
<td>Broughty Ferry Gala Week</td>
</tr>
<tr>
<td>7</td>
<td>18th July - 5th August, 2007</td>
<td>Annual Trades Holiday &amp; Open Golf</td>
</tr>
<tr>
<td>8</td>
<td>28th September - 1st October, 2007</td>
<td>Autumn Holiday Weekend (1st October)</td>
</tr>
<tr>
<td>9</td>
<td>3rd December - 2nd January, 2008</td>
<td>Christmas &amp; New Year Holiday</td>
</tr>
</tbody>
</table>
APPENDIX 3

PAVEMENT CAFE

CONDITIONS

1. To avoid public nuisance the licence shall cease at 9.00 pm each evening.

2. The Licensee shall ensure that an employee is supervising the Pavement Cafe area at all times.

3. The Licensee shall ensure that all litter associated with the cafe is cleared up promptly and in particular at the conclusion of the operating hours that the pavement area is cleared and swept clear of cigarette ends.

4. The Licensee shall ensure that a portable cigarette bin, with a stubbing out facility is situated in the Pavement Café area. This bin to be removed at 9pm.

5. Only table service shall be allowed in the pavement cafe and no persons should be standing whilst consuming alcohol. A sign to that effect should be displayed in the area of the Pavement Cafe.

6. The Licensee shall place a sign in a promising position at the door of the premises indicating that the Pavement Café is table service only and that alcohol should not be removed from the premises.

7. Each application for an occasional licence shall be accompanied with a plan of the area within which alcohol is to be served and consumed and the said plan shall illustrate the table and chairs layout.

8. The area of the pavement cafe must be cordoned off using suitable materials.

9. Tables and chairs must be stored in such a manner so as not to impede any entrances to or exits from the building.

10. All furniture eg tables and chairs must be a minimum of 2 metres away from the kerbside.
At a HEARING of the DUNDEE CITY LICENSING BOARD held at Dundee on 15th November, 2007.

Present:-

Lord Provost John R LETFORD

BAILIES

George REGAN  Roderick A J WALLACE

COUNCILLORS

Kevin KEENAN  Brian GORDON  Kenneth GUILD

Christina ROBERTS

Lord Provost John R LETFORD, Convener, in the Chair.

I  SECTION 31 HEARING

(i)  KHALID MAHMOOD, 82 BALLINDEAN ROAD - FAIR DEAL STORES

The Board, having heard from the Chief Constable's representative and an agent on behalf of the licensee, agreed to suspend the licence for the unexpired period.

(ii)  JAMES FYFFE, 2 WHITEHALL CRESCENT - WATERFRONT BAR AND RESTAURANT

The Board, having heard from an officer from Environmental Health and Trading Standards and an agent on behalf of the licensee, agreed to take no action.

II  MUSICAL ENTERTAINMENT CONSENT HEARING

(i)  JAMES FYFFE, 2 WHITEHALL CRESCENT - WATERFRONT BAR AND RESTAURANT

The board having heard from an officer from Environmental Health and Trading Standards and an agent on behalf of the licensee agreed to defer the hearing to a later date.

Lord Provost John R LETFORD, Convener.
At a MEETING of the DEVELOPMENT QUALITY COMMITTEE held at Dundee on 19th November, 2007.

Present:-

Lord Provost John R LETFORD

BAILIES

Helen WRIGHT  Roderick A J WALLACE  Ian BORTHWICK

Derek J SCOTT

COUNCILLORS

Kevin KEENAN  Fraser MACPHERSON  Bob DUNCAN

Mohammed ASIF  Helen DICK  Elizabeth F FORDYCE

Laurie BIDWELL  Ken GUILD  Stewart HUNTER

Tom FERGUSON  Jim BARRIE  Ken LYNN

Brian GORDON  Jimmy BLACK  Christina ROBERTS

Richard McCREADY  David BOWES  Donald HAY

Will DAWSON

Bailie Roderick A J WALLACE, Convener, in the Chair.

The minute of meeting of this Committee of 15th October, 2007 was held as read.

Unless marked thus * all items stand delegated.

I  PLANNING APPLICATIONS

(a)  07-00765-FUL - 3 KEMBACK STREET - DEVELOPMENT OF DERELICT CLINIC TO FORM 8 APARTMENTS WITH 11 PARKING SPACES - FOR MR G WHITE

After considering objections received, the Committee approved the application subject to the conditions recommended by the Director of Planning and Transportation.

(b)  07-00457-OUT - LAND TO THE SOUTH OF BEECHWOOD PARK, KINGS CROSS ROAD - OUTLINE CONSENT FOR RETIREMENT COMPLEX CONSISTING OF RESIDENTIAL CARE UNITS, ASSOCIATED FACILITIES AND CAR PARKING - FOR EXECUTIVE CARE GROUP LTD

After considering objections received, the Committee approved the application subject to the conditions recommended by the Director of Planning and Transportation.

(c)  07-00463-COU - 117 ALBERT STREET - CHANGE OF USE TO HOT FOOD TAKEAWAY AND INSTALLATION OF VENTILATION FLUE - FOR IAN TAIT

After considering objections received, the Committee approved the application subject to the conditions recommended by the Director of Planning and Transportation.

(d)  07-00690-FUL - FORMER LINLATHEN HIGH SCHOOL, BALLOCHMYLE DRIVE - PERMISSION TO VARY PLANNING CONDITIONS 9 AND 30 OF PREVIOUS PLANNING CONSENT - FOR WILLIAM MORRISON SUPERMARKET PLC

Councillor Roberts declared a non-financial interest in this application by virtue of living in close proximity to the proposed development and took no part in the discussion thereof.
The Committee acceded to requests for deputations to address the Committee both in support of and relative to objections to the above application. After the deputations had stated their cases and answered questions from members of the Committee, they were thanked for their attendance and withdrew.

Thereafter, having considered objections received, the Committee approved the application subject to the conditions recommended by the Director of Planning and Transportation.

(e) 07-00691-FUL - FORMER LINLATHEN HIGH SCHOOL, BALLOCHMYLE DRIVE - PERMISSION TO VARY PLANNING CONDITIONS 9 AND 31 OF PREVIOUS PLANNING CONSENT - FOR WILLIAM MORRISON SUPERMARKET PLC

Councillor Roberts declared a non-financial interest in this application by virtue of living in close proximity to the proposed development and took no part in the discussion thereof.

The Committee acceded to requests for deputations to address the Committee both in support of and relative to objections to the above application. After the deputations had stated their cases and answered questions from members of the Committee, they were thanked for their attendance and withdrew.

Thereafter, having considered objections received, the Committee approved the application subject to the conditions recommended by the Director of Planning and Transportation.

(f) 07-00749-COU - UNITS 3 TO 6, BLOCK 2, ANNFIELD ROW - CHANGE OF USE TO FORM ENLARGED HOT FOOD TAKEAWAY - FOR CLARKS BAKERY

The Committee acceded to a request for a deputation to address the Committee in support of the above application. After the deputation had stated its case, it was thanked for its attendance and withdrew.

Thereafter, having considered objections received, Councillor Macpherson, seconded by Councillor Dick, moved refusal of the application on the grounds that the increase in the floorspace of the hot food takeaway is considered to be contrary to Policy 1 - Vibrant and Sustainable Communities, of the Dundee Local Plan Review 2005 as it will have an adverse effect on the environmental quality enjoyed by adjacent local residents by reason of increased traffic movements and noise. There are no material considerations of sufficient strength to justify the granting of planning permission contrary to the policy.

As an amendment, the Convener, seconded by Councillor Keenan, moved approval of the application subject to the conditions recommended by the Director of Planning and Transportation.

On a division, there voted for the motion - Councillors Macpherson and Dick (2); and for the amendment - the Convener, Lord Provost Letford, Bailies Wright, Scott and Borthwick, and Councillors Keenan, Asif, Bidwell, Ferguson, Gordon, McCreary, Guild, Barrie, Black, Bowes, Will Dawson, Duncan, Fordyce, Hunter, Lynn, Roberts and Hay (22) - whereupon the amendment was declared carried.

(g) 07-00748-FUL - 227 ARBROATH ROAD - FORMATION OF DRIVEWAY AND PAVEMENT CROSSING - FOR MRS A BURNS

After considering objections received, the Committee refused the application on the grounds that the proposal is contrary to Policy 1 of the Dundee Local Plan Review 2005 due to the adverse visual impact of the proposed driveway on the surrounding area, by virtue of the positioning and noise which will affect the ground floor flat. There are no material considerations that would justify approval of the application contrary to the provisions of the Development Plan.
(h) 07-00768-OUT - LAND TO EAST OF 308 CLEPINTON ROAD - ERECTION OF DWELLINGHOUSE AND FORMATION OF DRIVEWAY - FOR MR & MRS S CAMPBELL

After considering objections received, the Committee approved the application subject to the conditions recommended by the Director of Planning and Transportation.

(i) 07-00817-COU - 25-29 COWGATE - CHANGE OF USE OF PART OF NIGHTCLUB TO FAST FOOD DINER - FOR AULD REEKIE PUB CO LTD

After considering objections received, the Committee approved the application subject to the conditions recommended by the Director of Planning and Transportation.

(j) 07-00842-LBC - 25-29 COWGATE - INTERNAL ALTERATIONS TO GROUND FLOOR LEVEL AND ERECTION OF SIGNAGE - FOR AULD REEKIE PUB CO LTD

After considering objections received, the Committee approved the application subject to the conditions recommended by the Director of Planning and Transportation.

(k) 07-00822-COU - 80 LOCHEE ROAD - CHANGE OF USE FROM CAR SALES TO KITCHEN SHOWROOM - FOR RHODES ASSET MANAGEMENT

Lord Provost Letford declared a non-financial interest in this item, by virtue of a relation having a similar type of business within 100 metres of the proposed development.

The Committee acceded to a request for a deputation to address the Committee in support of the above application. After the deputation had stated its case, it was thanked for its attendance and withdrew.

Thereafter, having considered objections received, the Committee approved the application subject to the conditions recommended by the Director of Planning and Transportation.

(l) 07-00841-FUL - 29 SHERBROOK STREET - EXTENSION TO EXISTING REAR PORCH - FOR MR & MRS ROBERT McKELVIE

After considering objections received, the Committee approved the application subject to the conditions recommended by the Director of Planning and Transportation.

(m) 07-00843-COU - 18 LINFIELD STREET - CHANGE OF USE FROM TWO SHOPS TO FLATS - FOR MR G SQUIRE

The Committee approved the application subject to the conditions recommended by the Director of Planning and Transportation.

(n) 07-00851-COU - BOWBRIDGE WORKS, UNIT 36, 3 ISLA STREET - CHANGE OF USE TO FORM TAXI OFFICE - FOR DUNDEE TAXI CAB LTD

After considering objections received, the Committee approved the application subject to the conditions recommended by the Director of Planning and Transportation.

(o) 07-00853-FUL - 31 FINDCHAPEL PLACE - SINGLE STOREY EXTENSION TO EAST ELEVATION

After considering objections received, the Committee approved the application subject to the conditions recommended by the Director of Planning and Transportation.
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II BUILDING (SCOTLAND) ACT 2003 - SECTIONS 29-30 - DANGEROUS BUILDINGS

There was submitted Report No 543-2007 advising the Committee of the action taken in dealing with dangerous buildings during the months of September.

The Committee noted the contents of the report.

Roderick A J WALLACE, Convener.
At a MEETING of the DUNDEE CITY COUNCIL held at Dundee on 26th November 2007.

Present:-

Lord Provost John R LETFORD

BAILIES

George REGAN  Helen WRIGHT  Derek SCOTT
Roderick A J WALLACE

COUNCILLORS

Kevin KEENAN  Fraser MACPHERSON  Will DAWSON
Mohammed ASIF  Helen DICK  Bob DUNCAN
Laurie BIDWELL  Ken GUILD  Elizabeth F FORDYCE
Tom FERGUSON  Jim BARRIE  Stewart HUNTER
Brian GORDON  Jimmy BLACK  Ken LYNN
Richard McCREADY  David BOWES  Alan ROSS
Joe MORROW  Andrew DAWSON  Donald HAY

Lord Provost John R LETFORD, in the Chair.

The Lord Provost agreed that the undernoted item be considered as a matter of urgency in terms of Standing Order No 17(b) in view of the timescales involved.

I  DECLARATION OF POLL - WARD 2 - LOCHEE

The Returning Officer reported for information and record purposes that following the counting of votes on 23rd November, 2007, the undernoted member had been declared to have been duly elected to serve as a Councillor for Ward 2, Lochee.

Alan Ross - Scottish National Party (SNP) - Elected at Stage 4 - (turnout 29.24%).

Lord Provost John R LETFORD, Convener.
At a MEETING of the **EDUCATION COMMITTEE** held at Dundee on 26th November, 2007.

Present:-

Lord Provost John R LETFORD

BAILIES

George REGAN  Roderick A J WALLACE  Derek J SCOTT
Helen WRIGHT  Ian BORTHWICK

COUNCILLORS

Kevin KEENAN  Helen DICK  Stewart HUNTER
Mohammed ASIF  Ken GUILD  Ken LYNN
Laurie BIDWELL  Jim BARRIE  Alan ROSS
Tom FERGUSON  Jimmy BLACK  Donald HAY
Brian GORDON  David BOWES  Rev J WILSON
Richard McCREADY  Andrew DAWSON  Mr M CHOHAH
Joe MORROW  Will DAWSON  Mr E BAILLIE
Fraser MACPHERSON  Bob DUNCAN  Mrs H MILLAR

Elizabeth F FORDYCE

Councillor Laurie BIDWELL, Convener, in the Chair.

The minute of meeting of this Committee of 22nd October, 2007 was held as read.

Unless marked thus * all items stand delegated.

I  **HM INSPECTORATE OF EDUCATION - ST JOSEPH’S RC PRIMARY SCHOOL**

There was submitted and noted report relative to the above.

II  **TENDERS RECEIVED - OFFICER APPROVAL**

There was submitted for information Agenda Note AN277-2007 noting that due to timescales involved the Director of Education and City Architectural Services Officer in consultation with the Education Convener and Group spokespersons agreed that the following works be carried out:-

(i)  **ROCKWELL SECONDARY SCHOOL - ADDITIONAL EMERGENCY LIGHTING**

Awarded to Jaydee Heating and Electrical, Dundee under a partnering project for £11,864.81 together with allowances of £2,000.00 for minor decoration work and £1,130.00 for professional services making a total expenditure of £14,994.81.

The Committee noted the above.

III  **TEACHER REPRESENTATION ON THE EDUCATION COMMITTEE**

There was submitted Agenda Note AN278-2007 whereby reference was made to Article XI of the minute of meeting of the Statutory Meeting of the City Council of 24th May, 2007 wherein it was agreed that the current Teacher representatives continued for a further period of six months to allow arrangements to be made for new representatives to be appointed to the Committee.

Three nominations were received and following a ballot of all teachers, the following candidates were successful:-

Mr Eric Baillie
Mrs Helene Millar
The Committee agreed that above-named persons be appointed as members of the Education Committee with immediate effect.

IV SCHOOL TERMS AND HOLIDAYS 2008/2009

There was submitted Report No 534-2007 by the Director of Education seeking approval for school terms and holidays for Session 2008/09.

The Committee agreed the school terms and holidays for Session 2008/2009 as detailed in the report noted below:

<table>
<thead>
<tr>
<th>SCHOOL TERMS AND HOLIDAYS 2008/2009</th>
<th>IN SERVICE DAYS</th>
<th>PUPIL SCHOOL DAYS</th>
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</thead>
<tbody>
<tr>
<td><strong>Autumn</strong></td>
<td></td>
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<tr>
<td>Start</td>
<td>Staff</td>
<td>Monday 18 August 2008</td>
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<td>Term</td>
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<td><strong>Spring</strong></td>
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<tr>
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</tr>
<tr>
<td>Victoria Day</td>
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<td>Thursday 02 July 2009</td>
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<tr>
<td>TOTAL</td>
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<td>190</td>
</tr>
</tbody>
</table>

Total Number of School Days for Pupils 190

Total Number of Working Days for Staff 195

Notes: Easter Sunday 12 April 2009
Induction Days for Primary 7 children will be agreed by clusters in June 2009
Commencement of SQA Examination Tuesday 5 May 2009 (subject to confirmation)
V DUNDEE SCHOOLS PPP PROJECT

Councillor McCready declared a non-financial interest by virtue of his wife being a member of staff at St Saviour's R C High School.

There was submitted Report No 591-2007 by the Director of Education advising the Committee as to progress on the construction of the schools in Phase 1 of the PPP Project.

The Committee noted:

(i) the anticipated construction completion dates for the schools in Phase 1 of the PPP Project;

(ii) that detailed programmes had been developed for schools in Phase 1 of the PPP Project covering Fitting-Out and Decant of Schools, Curriculum Matching and School Staffing Arrangements; and

(iii) that the programmes may require to be modified to reflect any movement in Discovery Education PLC's anticipated construction completion dates.

VI SUPPORTING LEARNING IN DUNDEE

There was submitted Report No 596-2007 by the Director of Education seeking Committee approval for the Education Department's revised policy on Supporting Learning in Dundee.

The Committee agreed the revised Policy on Supporting Learning in Dundee as detailed in the report.

VII DISABILITY EQUALITY SCHEME 2007-2010 - PROGRESS REPORT

There was submitted Report No 597-2007 by the Director of Education informing the Committee of the progress made in implementing the Education Department's Disability Equality Scheme 2007-2010.


VIII TENDERS RECEIVED

There was submitted Report No 607-2007 by the City Architectural Services Officer detailing tenders received and requesting a decision thereon:

(i) ST MARY'S RC PRIMARY SCHOOL - WATER INGRESS TREATMENT

The Committee agreed to accept the offer by Raynor Roofing Ltd., Dundee of £20,441.50 together with an allowance of £2,913.00 for professional services making a total expenditure of £23,354.50.

The Committee noted that Raynor Roofing Ltd., Dundee had listed the undernoted sub-contractor:

AT Roberts - Water Ingress Treatment.

Laurie BIDWELL, Convener.
At a MEETING of the **ECONOMIC DEVELOPMENT COMMITTEE** held at Dundee on 26th November 2007.

Present:-

Lord Provost John R LETFORD

**BAILIES**

George REGAN  Roderick A J WALLACE  Derek J SCOTT

Helen WRIGHT

**COUNCILLORS**

Kevin KEENAN  Fraser MACPHERSON  Will DAWSON

Mohammed ASIF  Helen DICK  Alan ROSS

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Tom FERGUSON  Jim BARRIE  Elizabeth F FORDYCE

Brian GORDON  Jimmy BLACK  Stewart HUNTER

Richard McCREADY  David BOWES  Ken LYNN

Joe MORROW  Andrew DAWSON  Donald HAY

Councillor Joe MORROW, Convener, in the Chair.

The minute of meeting of this Committee of 12th November 2007 was held as read.

Unless marked thus * all items stand delegated.

**I  **

**ECONOMIC DEVELOPMENT SERVICE PLAN 2007-2011**

There was submitted Report No 398-2007 by the Director of Economic Development seeking approval of the Economic Development Department's Service Plan for 2007 to 2011.

The Committee approved the Service Plan appended to the report.

**II  **

**CONSTRUCTION OF A CAR PARK AT DUNDEE AIRPORT**

There was submitted Report No 587-2007 by the Director of Economic Development requesting approval for the letting of a contract for the construction of a car park at Dundee Airport.

The Committee agreed that a contract should be let to T N Gilmartin (Contracts) Limited of Cupar, Fife, for the construction of a car park at Dundee Airport at a cost of £155,475.20 including fees and contingencies.

**III  **

**OVERSAILING AGREEMENT - HOTEL DEVELOPMENT, DOCK STREET/GELLATLY STREET**

There was submitted Agenda Note AN276-2007, advising that to assist with the construction of the above development a tower crane had been assembled for use within the site boundary. However, due to its size it had to oversail adjacent properties. Since Gellatly Street Multi Storey Car Park was an adjacent property the developer had prepared an appropriate Oversailing Agreement to allow the crane to oversail but not carry any load over Gellatly Street Multi Storey Car Park. The Agreement contained a licence to occupy Council airspace and contained provisions to protect the Council's interests as well as appropriate insurance clauses.
In view of the timescales involved this item was approved by the Director of Economic Development in consultation with the Convener and Spokespersons of the other Groups.

The Committee noted accordingly.

The Committee resolved under Section 50(A)(4) of the Local Government (Scotland) Act 1973 that the press and public be excluded from the meeting for the undernoted items of business on the grounds that they involved the likely disclosure of exempt information as defined in paragraphs 6 and 9 of Part I of Schedule 7A of the Act.

IV COMMERCIAL LEASES

There was submitted and approved Report No 586-2007 by the Director of Economic Development detailing commercial leases in respect of the undernoted premises:

Units 2 and 3 Faraday Court, and
Plots 33 and 33a Faraday Street
Unit 6, Old Glamis Road
10 Westport.

V PROPOSED SALE OF LAND ADJOINING 51 KINNEFF CRESCENT

There was submitted Report No 601-2007 by the Director of Economic Development seeking approval for the sale of land adjoining 51 Kinneff Crescent.

The Committee approved the sale of land extending to 0.0045 hectares on the terms and conditions detailed in the report.

VI PROPOSED LEASE OF LAND ADJOINING 1 ROSSIE AVENUE

There was submitted Report No 602-2007 by the Director of Economic Development seeking approval for the lease of land adjoining 1 Rossie Avenue.

The Committee approved the lease of land extending to 0.0224 hectares on the terms and conditions detailed in the report.

Joe Morrow, Convener.
At a MEETING of the HOUSING, DUNDEE CONTRACT SERVICES AND ENVIRONMENT SERVICES COMMITTEE held at Dundee on 26th November, 2007.

Present:-

Lord Provost John R LETFORD

Lord Provost John R LETFORD

BAILIES

George REGAN  Helen WRIGHT  Derek J SCOTT

Roderick A J WALLACE

COUNCILLORS

Kevin KEENAN  Fraser MACPHERSON  Andrew DAWSON

Mohammed ASIF  Helen DICK  Will DAWSON

Laurie BIDWELL  Ken GUILD  Bob DUNCAN

Tom FERGUSON  Jim BARRIE  Elizabeth F FORDYCE

Brian GORDON  Jimmy BLACK  Stewart HUNTER

Richard McCREADY  David BOWES  Ken LYNN

Joe MORROW  Donald HAY

Bailie George REGAN, Convener, in the Chair.

The minute of meeting of this Committee of 22nd October, 2007 was held as read.

Unless marked thus * all items stand delegated.

I  POLICY FOR RECHARGING FOR REPAIRS

There was submitted Report No 550-2007 by the Director of Housing outlining a proposed policy for recharging tenants for certain repairs and associated works carried out under the Repairs Partnership by DCS.

The Committee agreed that the Policy for recharging for repairs as outlined in the report be agreed.

II  REPAIR OF EXTERNAL STAIRS TO VARIOUS HOUSING DEVELOPMENTS

There was submitted Agenda Note AN279-2007 reporting that on the request of the Director of Housing, tenders had been invited by the City Engineer to carry out urgent repair works on the external concrete stairs of Council owned properties in various housing developments. Funding would be provided from the Housing Capital Budget and maximum spend was required in financial year 2007/08.

The Committee agreed:-

(i) that delegated authority be given to the Depute Chief Executive (Support Services) to accept the most favourable tender as recommended by the City Engineer within the allowances noted under:

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<tr>
<td>Contract Cost</td>
<td>£250,000</td>
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<tr>
<td>Fees</td>
<td>£30,000</td>
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<tr>
<td>Contingencies</td>
<td>£20,000</td>
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<tr>
<td><strong>Total</strong></td>
<td><strong>£300,000</strong></td>
</tr>
</tbody>
</table>

(ii) to note that tender details would be reported retrospectively to a future meeting of the Committee
III CONTRACT SERVICES FINANCIAL OPERATING STATEMENT AND OPERATIONAL PERFORMANCE FOR THE SIX MONTHS ENDED 30TH SEPTEMBER 2007

There was submitted Joint Report No 427-2007 by the Head of Finance and Director of Contract Services on the financial position and operational performance of Contract Services for the six months ended 30th September, 2007.

The Committee agreed:

(i) to note the current financial position and operational performance of Contract Services; and

(ii) to note that the statutory requirement of break even for the third year of the current three year rolling period, which commenced at the start of financial year 2005/2006 should be exceeded by Contract Services.

IV PLAY AREA IMPROVEMENTS - 2007-2008 - STRATHMORE STREET PLAYGROUND

There was submitted Report No 600-2007 by the Director of Contract Services seeking approval to carry out improvements to the Strathmore Street (Barnhill) Playground as part of the Play Area Improvements for 2007/2008.

The Committee agreed:

(i) to the improvements to the Strathmore Street Playground in 2007/2008 as detailed in paragraph 4.2 of the report; and

(ii) to the work being carried out by Dundee Contract Services at an estimated cost of £29,655.

V SUSTAINABLE DEVELOPMENT FRAMEWORK - ANNUAL PROGRESS REPORT

There was submitted Report No 584-2007 by the Head of Waste Management informing the Committee of the work undertaken over the last six months to implement the Council’s Sustainable Development Framework.

The Committee agreed to note the contents of the report.

VI PURCHASE OF VEHICLES

There was submitted Report No 582-2007 by the Head of Waste Management seeking authority for the purchase of three vans which would be used for a range of services within the Waste Management Department.

The Committee agreed:

(i) to accept the offer for Three (3) Fiat Doblos amounting to £21,191.49; and

(ii) to note that the vehicles would be procured via the ABC Light Vehicle Framework Contract.
VII TENDERS RECEIVED

There was submitted Report No 606-2007 by the City Architectural Services Officer giving details of offers received for the undernoted contracts:-

(a) STRATHMORE STREET SECOND DEVELOPMENT - PITCHED ROOF REPLACEMENT

The Committee agreed to accept a negotiated contract with Dundee Contract Services amounting to £78,209.79 together with allowances of £787.00 for CDM Co-ordinator and £7,608.00 for professional services, making a total expenditure of £86,604.79.

(b) CORSO STREET DEVELOPMENT - NEW KITCHENS AND BATHROOMS

The Committee agreed to accept a partnering contract with MASCO Onestep Installation Services, West Yorkshire, amounting to £130,000 together with the undernoted allowances:-

Decoration allowances - £1,700.00
Carpet allowances - £5,643.00
CDM Coordinator - £1,170.00
Professional Services - £11,920.00

Making a total expenditure of £150,433.00

(c) CRAIGIE 6TH DEVELOPMENT - HEATING REPLACEMENT, KITCHEN AND BATHROOM UPGRADE

The Committee agreed to accept a partnering contract with Dundee Contract Services amounting to £100,200 together with the undernoted allowances:-

Decoration allowances - £2,408.00
Carpet allowances - £1,386.00
Decanting of tenants - £500.00
Non-slip flooring - £250.00
Gas connection charges - £20,722.00
CDM Coordinator - £1,125.00
Professional services - £11,139.00

Making a total expenditure of £137,730.00

(d) HOSPITAL STREET - HEATING REPLACEMENT, KITCHEN AND BATHROOM UPGRADE

The Committee agreed to accept a partnering contract with Dundee Contract Services amounting to £196,049.00 together with the undernoted allowances:-

Decoration allowances - £8,500.00
Carpet allowances - £7,500.00
Decanting of tenants - £1,000.00
Allowance for electric connection charges - £3,000.00
CDM Coordinator - £1,515.00
Professional Services - £17,865.00

Making a total expenditure of £235,429.00
VIII
RIGHT TO REPAIR 2007-2008

There was submitted Report No 608-2007 by the City Architectural Services Officer reporting that Under the Right to Repair - Housing (Scotland) Act 2001 the City Council was required to maintain a list of contractors prepared to carry out qualifying repairs, this list included the usual Contractor, which in the City Council's case was Dundee Contract Services.

The report sought approval for the inclusion of interested contractors on the list provided they were on the Council's select tender list and had submitted reasonable jobbing rates. The list would be maintained by the Director of Housing.

The Committee agreed:

(i) to the inclusion of the three firms who expressed an interest, on the list of contractors prepared to carry out qualifying repairs; and

(ii) that delegated authority be given for the Director of Housing, in consultation with the City Architectural Services Officer and/or the Depute Chief Executive (Finance) to add or delete firms from the list.

The Committee resolved under Section 50(A) (4) of the Local Government (Scotland) Act 1973 that the press and public be excluded from the meeting for the undernoted item of business on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 3, 6 and 9 of Part I of Schedule 7A of the Act.

IX
IDENTIFICATION OF CONTAMINATED LAND

Reference was made to Article III of minute of meeting of the Environmental Services and Sustainability Committee held on 18th December, 2006 wherein it was agreed to determine the status of a site under Part IIA of the Environmental Protection Act 1990 on the basis of the technical qualification that the site complied with the statutory definition of Contaminated Land.

There was submitted Agenda Note AN280-2007 reporting that the area had now been revised in accordance with Statutory Guidance.

The Committee agreed:

(i) to approve the revised boundary and agreed to the formal determination of the site on this basis; and

(ii) designate the site as contained within the revised boundary as a special site, the enforcement agency for which would be SEPA.

George REGAN, Convener.
At a MEETING of the SOCIAL WORK AND HEALTH COMMITTEE held at Dundee on 26th November, 2007.

Present:-

Lord Provost John R LETFORD

BAILIES

George REGAN  Helen WRIGHT  Derek J SCOTT
Roderick A J WALLACE

COUNCILLORS

Kevin KEENAN  Fraser MACPHERSON  Will DAWSON
Mohammed ASIF  Helen DICK  Bob DUNCAN
Laurie BIDWELL  Ken GUILD  Elizabeth F FORDYCE
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Brian GORDON  Jimmy BLACK  Ken LYNN
Richard McCREADY  David BOWES  Alan ROSS
Joe MORROW  Andrew DAWSON  Donald HAY

Bailie Helen WRIGHT, Convener, in the Chair.

The minute of meeting of this Committee of 22nd October, 2007 was held as read.

Unless marked thus * all items stand delegated.

I  CUSTOMER CARE OFFICER ANNUAL REPORT 2007

Reference was made to Article V of minute of meeting of the Social Work Committee held on 23rd August 2004 wherein the Customer Care Standards for the Social Work Department were agreed.

There was submitted Report No 595-2007 by the Director of Social Work on the second annual report to be prepared by the Customer Care Officer which provided information about the work of the Customer Care Officer and the workings of the Complaints Procedure.

The Committee agreed:-

(i) to approve the content of the report;

(ii) to instruct the Director of Social Work to undertake a Departmental self assessment against the Charter Mark Standard; and

(iii) to note that organisations who performed well against this standard may apply for a national award which recognised high standards of customer care and consultation.

II  MINOR CAPITAL WORKS 2007-2008

There was submitted Report No 594-2007 by the Director of Social Work seeking approval for the City Architectural Services Officer to obtain offers, tenders, or negotiate partnerships and for the Depute Chief Executive (Support Services) in conjunction with the Director of Social Work to accept these offers, tenders or partnership agreements for Minor Capital Works up to a total cost of £236,000.

The Committee agreed:-

(i) that the City Architectural Services Officer be authorised to obtain offers, tenders or partnership agreements for the Minor Capital Works detailed in Appendix I of the report; and
(ii) that the Depute Chief Executive (Support Services), in conjunction with the Director of Social Work, be authorised to accept the offers, tenders or partnership agreements as recommended by the City Architectural Services Officer for these works to be undertaken by Dundee Contract Services and other contractors.

III DIRECT PAYMENTS - REVISION OF RATES

Reference was made to Article VIII of the minute of meeting of the Social Work Committee held on 23rd August, 2004 wherein the rates to be used to calculate the value of a Direct Payment and that Social Care Support rates to be used to calculate the value of personal care provision where the service user had made their own arrangements to procure this provision were agreed.

There was submitted Agenda Note AN281-2007 reporting that following completion of the re-tendering of the block domiciliary care contract it was now appropriate to revise these rates accordingly.

The Committee agreed:-

(i) that a rate of £8.28 per hour (previous rate £7.46 per hour) be applied for Practical Support;

(ii) that where service procured through a provider holding a block contract with Dundee City Council a rate equivalent to the contract rate paid to that provider by Dundee City Council be applied for Social Care Support; and

(iii) that where service provided through any other provider or by employment of a Personal Assistant a rate £11.00 per hour (previous rate £10.00 per hour) be applied for Social Care Support; and

(iv) that the revised rates take effect from 1st January 2008.

Helen WRIGHT, Convener.
At a MEETING of the POLICY AND RESOURCES COMMITTEE held at Dundee on 26th November, 2007.

Present:-

Lord Provost John R LETFORD

BAILIES

George REGAN  Helen WRIGHT  Derek J SCOTT
Roderick A J WALLACE

COUNCILLORS

Kevin KEENAN  Fraser MACPHERSON  Will DAWSON
Mohammed ASIF  Helen DICK  Bob DUNCAN
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Tom FERGUSON  Jim BARRIE  Stewart HUNTER
Brian GORDON  Jimmy BLACK  Ken LYNN
Richard McCREADY  David BOWES  Alan ROSS
Joe MORROW  Andrew DAWSON  Donald HAY

Councillor Kevin KEENAN, Convener, in the Chair.

The minute of meeting of this Committee of 12th November, 2007 was held as read.

Unless marked thus * all items stand delegated.

I  WHITFIELD DESIGN FRAMEWORK - REPORT ON DELIVERY METHOD

There was submitted Report No 499-2007 by the Director of Planning and Transportation, Director of Economic Development and Director of Housing relative to the above.

The Committee:-

(i) approved the proposal to market parcels of development land in Whitfield as appropriate. The City Council would project manage delivery of the regeneration using a proportion of the capital receipts generated to fund the delivery of strategic infrastructure;

(ii) remitted to the Assistant Chief Executive (Management) to submit a report to this Committee to establish a temporary seconded post to project manage the regeneration of Whitfield; and

(iii) remitted to the Director of Planning and Transportation and the Director of Housing to establish a Steering Group comprising public and private interests to work together to secure the successful physical, economic and social regeneration of Whitfield.

II  DISABILITY EQUALITY SCHEME

On a reference to Article III of the minute of meeting of this Committee of 13th November, 2006, there was submitted Report No 617-2007 by the Director of Leisure and Communities and the Depute Chief Executive (Support Services) relative to the above.

The Committee noted the progress made in applying the Council’s Corporate Disability Equality Scheme 2007/2010 and approved the First Annual Report appended thereto.
III SINGLE STATUS JOB EVALUATION - APPEALS PROCEDURE

On a reference to Article VIII of the minute of meeting of this Committee of 12th November, 2007 there was submitted Report No 609-2007 by the Assistant Chief Executive (Management) relative to the above.

The Committee approved the procedure set out in the report.

Kevin KEENAN, Convener.