

Licensing Committee
2 June 2021

At a Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m. involving participation by remote electronic means.

Present

Ronnie McNicol, Todd Ferguson, Robert Barr, Jean McClung, Davina McTiernan and Donald L. Reid.

In Attendance

A. Craig, Senior Manager (Legal Services), W. O'Brien, Solicitor (Licensing), A. Toal, Administrative Assistant (Licensing) and D. McCaw, Committee Services Officer (Chief Executive's Service).

Chair

Councillor McNicol in the Chair.

Apologies

John Easdale, Scott Gallagher and Angela Stephen.

1. Chair's Remarks

The Chair agreed, in terms of Standing Order 9.4, to vary the order of business to allow consideration of Agenda Item 4.1: Street Trader Operator's Licence: STL/O/512 (New): The French Fox Food Co Ltd prior to Agenda Item 3: Street Trader's Licences under the Civic Government (Scotland) Act 1982, Section 39: Review of Policy and Licence Conditions, as the applicant was already in attendance in the virtual meeting lobby.

2. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 10 and Section 5 of the Code of Conduct for Councillors.

3. Minutes

The Minutes of the Ordinary Meeting held on 21 April 2021 were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

4. Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters

Submitted report by the Head of Democratic Services on hearings to be determined and applications for the grant or renewal of licences, consents and permits, on hearings and on other matters, under the Civic Government (Scotland) Act 1982 and other Licensing legislation.

4.1 Street Trader Operator's Licence: STL/O/512 (New): The French Fox Food Co Ltd

The applicants, having been duly cited to attend, joined the meeting at this point.

The Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the applicants. Thereafter the applicants addressed the Committee on the issues raised and responded to questions.

The applicants then withdrew to allow the Committee to deliberate. Thereafter the applicants re-joined the meeting, with the same Members and Officers present and in attendance, to hear the Committee's decision.

Decision

Councillor Barr, seconded by Councillor McTiernan, moved that the Committee grant a Temporary Street Trader's Licence for 12 sites under the Civic Government (Scotland) Act 1982, Section 39 and Schedule 1, Paragraph 7, with the Council's Standard Conditions. There being no amendment the motion was declared carried.

The applicant left the meeting at this point.

5. Street Trader's Licences under the Civic Government (Scotland) Act 1982, Section 39: Review of Policy and Licence Conditions

Submitted report by the Head of Democratic Services on a review of the existing Street Trader Policy and Licence conditions. A summary of the review process with suggested options was set out at Appendix A to the report. Appendices B and C set out the Council's current Standard Street Trader's Licence Conditions and suggested Draft Standard Conditions for discussion, respectively.

The Committee unanimously agreed to (a) review the current Policy and Licence Conditions; (b) instruct the Solicitor (Licensing) to proceed to public consultation as detailed in paragraph 3.2 of the report; and (c) continue consideration of the Review to a future meeting pending the outcome of the public consultation.

The meeting ended at 12 noon.