

Licensing Committee
18 November 2015

IRVINE, 18 November 2015 - At a Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m.

Present

Ian Clarkson, Robert Barr, Tom Marshall, Grace McLean, Catherine McMillan, Ronnie McNicol, Donald Reid.

In Attendance

W. O'Brien, Solicitor (Licensing) and K. Sharkey, Solicitor (Contracts and Licensing); A. Toal, Administrative Assistant; and M. Anderson, Committee Services Team Leader (Chief Executive's Service).

Also In Attendance

Inspector J. Conway (Police Scotland).

Chair

Councillor Clarkson in the Chair.

Apologies for Absence

John Bruce.

1. Declarations of Interest

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

2. Minutes

The accuracy of the Minutes of the meeting of the Committee held on 28 October 2015 was confirmed and the Minutes signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. Civic Government (Scotland) Act 1982: Licensing Matters

Submitted report by the Chief Executive on Hearings to be determined and applications for the grant or renewal of licences and permits, all in terms of the Civic Government (Scotland) Act 1982.

Part A: Hearings

3.1 Public Charitable Collection: West Kilbride Yuletide

The Committee considered an application for a Public Charitable Collection under Section 119 of the Civic Government (Scotland) Act 1982.

The applicant, having been duly cited to attend, was present.

The applicant addressed the Committee, providing details of the proposed event and responded to questions.

The Committee noted that the application for a collection on Wednesday 18 December 2015 from 6.00 p.m. until 9.00 p.m. was outwith Council policy that street collections should not be permitted during the week or after 6.00 p.m. The Committee considered whether or not the particular case could be treated as an exception to the policy.

Decision

The Committee unanimously agreed, having regard to the information presented, to grant the application under Section 119(5) of the Civic Government (Scotland) Act 1982 on Wednesday 18 December 2015 from 6.00 p.m. to 9.00 p.m., subject to the Council's usual conditions.

3.2 Public Charitable Collection: Royal British Legion Scotland (Largs Branch)

The Committee considered an application for a Public Charitable Collection under Section 119 of the Civic Government (Scotland) Act 1982.

The applicant, having been duly cited to attend, was not present, but was represented.

The applicant's representative addressed the Committee, providing details of the proposed event and responded to questions.

The Committee noted that the application for a collection on Thursday 3 December 2015 from 5.00 p.m. until 9.00 p.m. was outwith Council policy that street collections should not be permitted during the week or after 6.00 p.m. The Committee considered whether or not the particular case could be treated as an exception to the policy.

Decision

The Committee unanimously agreed, having regard to the information presented, to grant the application under Section 119(5) of the Civic Government (Scotland) Act 1982 on Thursday 3 December 2015 from 5.00 p.m. to 9.00 p.m., subject to the Council's usual conditions.

3.3 Public Charitable Collection: Irvine Meadow X1 FC

The Committee considered an application for a Public Charitable Collection under Section 119 of the Civic Government (Scotland) Act 1982.

The applicant, having been duly cited to attend, was neither present nor represented. A written submission was provided by the applicant.

The Committee noted that the application for collection on Tuesday 29 December 2015 was outwith Council policy that street collections should not be permitted during the week. The Committee considered whether or not the particular case could be treated as an exception to the policy.

Decision

The Committee unanimously agreed, having regard to the information presented, to grant the application under Section 119(5) of the Civic Government (Scotland) Act 1982 on Tuesday 29 December 2015, subject to the Council's usual conditions excepting the condition relating to times of collections.

3.4 Taxi Driver's Licence: Matthew Steel: TDL/00115

The licenceholder, having been duly cited to attend, was present. Representatives of Police Scotland were also in attendance.

The Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the applicant. The representatives of Police Scotland then addressed the Committee on the terms of a letter setting out an observation in relation to the application. Thereafter, the applicant addressed the Committee on the issues raised and responded to questions.

The applicant and representatives of Police Scotland then withdrew to allow the Committee to deliberate, returning to hear the Committee's decision.

Decision

Having issued a verbal warning to the applicant in terms of his obligations in terms of disclosing all convictions when making any future application, the Committee unanimously agreed to grant the application in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982.

3.5 Public Entertainment Licence: Irvine Bay Events

The Chair advised that this application would be submitted to a future meeting.

The Committee agreed that an unaccompanied site familiarisation visit be held prior to any future consideration of the application by the Committee.

Part B: Applications for Licence and Renewal of Licences

3.6 TDL/00119 (New) Nicol Harris

The Committee unanimously agreed, on the basis of the information presented, to proceed to a Hearing in terms of Paragraph 4(2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

3.7 TDL/01519 (New) Darren Coughtrie

The Committee unanimously agreed to grant the application in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982.

3.8 TDL/01999 (New) William Anderson

The Committee unanimously agreed to grant the application in terms of Paragraph 5(1)(a) of Schedule 1 of the Civic Government (Scotland) Act 1982.

3.9 TL/125 (Partnership) Anton Docherty

The licenceholder requested the Committee's consent to make a material change under Paragraph 9(2) of Schedule 1 of the Civic Government (Scotland) Act 1982.

The Committee unanimously agreed, on the basis of the information presented, to proceed to a Hearing.

4. Urgent Items

The Chair agreed that the following items of business be considered as a matter of urgency to allow the matters to be actioned without delay.

4.1 Public Charitable Collection: Saltcoats Action Group

The Committee considered an application for a Public Charitable Collection under Section 119 of the Civic Government (Scotland) Act 1982.

The Committee noted that the application for a collection on Friday 20 November 2015 from 5.30 p.m. until 7.30 p.m. was outwith Council policy that street collections should not be permitted during the week or after 6.00 p.m. The Committee considered whether or not the particular case could be treated as an exception to the policy.

Decision

The Committee unanimously agreed, having regard to the information presented, to grant the application under Section 119(5) of the Civic Government (Scotland) Act 1982 for the collection to take place on Friday 20 November 2015 from 5.30 p.m. until 7.30 p.m, subject to the Council's usual conditions.

4.2 Taxi Driver's Licence: Peter McGuinness: TDL/00061

The Committee considered a request by the licenceholder to vary the dress code condition attached to his licence. The licenceholder submitted a letter from his GP in support of his request.

The Committee unanimously agreed, on the basis of the information presented, to refuse the request to vary to dress code condition attached to this licence.

4.3 Public Charitable Collection: Stevenston Christmas Lights

The Committee considered an application for a Public Charitable Collection under Section 119 of the Civic Government (Scotland) Act 1982.

The Committee noted that the application for a collection on Friday 4 December 2015 from 5.30 p.m. until 7.30 p.m. was outwith Council policy that street collections should not be permitted during the week or after 6.00 p.m. The Committee considered whether or not the particular case could be treated as an exception to the policy.

Decision

The Committee unanimously agreed, having regard to the information presented, to grant the application under Section 119(5) of the Civic Government (Scotland) Act 1982 for the collection to take place on Friday 4 December 2015 from 5.30 p.m. until 7.30 p.m, subject to the Council's usual conditions.

The meeting ended at 10.45 a.m.