

Licensing Committee
24 June 2019

IRVINE, 24 June 2019 - At a Special Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m.

Present

Ronnie McNicol, Jean McClung, Davina McTiernan and Donald L. Reid.

In Attendance

W. O'Brien, Solicitor (Licensing), A Toal, Administrative Assistant (Legal Services) and A. Little, Committee Services Officer (Chief Executive's Service).

Chair

Councillor McNicol in the Chair.

Apologies

Robert Barr, Todd Ferguson, John Easdale, Scott Gallacher and Angela Stephen.

1. 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.

2. Exclusion of the Public

The Committee resolved, under Section 50A(4) of the Local Government (Scotland) Act 1973, to exclude from the Meeting the press and the public, for Agenda Item 5.2 – 6.1 (Civic Government (Scotland) Act 1982 and other Licensing Statutes: Licensing Matters) on the grounds that they involved the likely disclosure of Exempt Information as defined in Section 50J of, and Schedule 7A to, the Local Government (Scotland) Act 1973.

The 'Exempt Information' concerned is information of the type described in one or more of Paragraphs 3, 6, 14 and 15 of Part 1 of Schedule 7A to the Act:

3. "Information relating to any particular applicant for, or recipient or former recipient of, any service provided by the authority."
6. "Information relating to the financial or business affairs of any particular person (other than the authority)."
14. "Any action taken or to be taken in connection with the prevention, investigation or prosecution of crime."
15. "The identity of a Protected Informant" - where "Protected Informant" is defined in Part III as a person who informs the Local Authority about a past, present or future crime, breach of statutory duty, breach of planning control, or nuisance."

3. 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.

Appendix A: Hearings

3.1 Kelburn Arts Ltd - Public Entertainment Licence PEL/593 (Temp)

At its meeting on 5 June 2019, the Committee considered an application for a Public Entertainment Licence and was advised that an amendment to the application had been received for the period Thursday 4 July – Monday 8 July 2019, for the following times:-

Thursday - 6.00 p.m. until 1.00 a.m.
Friday - 9.00 a.m. until 3.00 a.m.
Saturday - 9.00 a.m. until 4.00 a.m.
Sunday - 9.00 a.m. until 3.00 a.m.

The Committee agreed that the application be continued to a future Special Meeting of the Committee, to allow a multi-agency meeting to be arranged to examine the areas discussed and to report to the Special Meeting on the arrangements that would be put in place for the event.

The applicant, having been duly cited, was present and accompanied by members of Kelburn Arts Ltd Management Team.

The Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the applicant and advised that the multi-agency meeting had taken place and all outstanding matters had been resolved.

Decision

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

In terms of Standing Order 5.7, the Chair adjourned the meeting for a short recess. The meeting reconvened with the same Members and officers present and in attendance.

3.2 Lamlash Events - Public Entertainment Licence PEL/585 (Temp) Market Operator's Licence MOL/117 (Temp)

The Committee was advised that the outstanding issues in respect of the temporary Public Entertainment and Market Operator licences could be dealt with by the Solicitor (Licensing) under delegated powers.

Noted.

3.3 Peter McNamara (Sounds on the Sands) - Public Entertainment Licence PEL/597 (Temp)

At its meeting on 5 June 2019, the Committee considered an application for a Public Entertainment Licence for Saturday 3 August 2019 (12.30 p.m. until 10.45 p.m.) and agreed to continue the application to a future Special Meeting to allow the applicant to attend and respond to questions.

The applicant, having been duly cited, was present.

The Solicitor (Licensing) set out the background to the Hearing as previously intimated in writing to the applicant and advised that the multi-agency meeting had taken place and all outstanding matters had been resolved. The applicant addressed the Committee on the issues raised and responded to questions.

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

The meeting ended at 11.25 a.m.