

Licensing Committee
16 November 2022

At a Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m. involving a combination of participation by remote electronic means and physical attendance within the Council Chambers, Irvine

Present (Physical Participation)

Eleanor Collier, Nairn McDonald, Christina Larsen, Jean McClung, Matthew McLean, Donald L. Reid, Ronnie Stalker and Angela Stephen.

Present (Remote Participation)

John Bell.

In Attendance

R. Lynch, Senior Manager (Legal Services), A. Toal, Administration Assistant (Licensing) and H. Clancy, Committee Services Officers (Democratic Services) (Chief Executive's Service).

Chair

Councillor Collier in the Chair.

Apologies

Cameron Inglis.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 11 and Section 5 of the Code of Conduct for Councillors.

2. Minutes

The Minutes of the Meeting held on 24 October 2022 were confirmed and signed in accordance with Paragraph 7 (1) of Schedule 7 of the Local Government (Scotland) Act 1973.

3. 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 Items 5 and 6 (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."

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.

Appendix A: Hearings

4.1 Late Hours Catering Licence: LHCL/141 (New): Motor Fuel Limited

At a previous meeting on 24 October 2022, the Committee agreed to continue consideration of this application.

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

The applicant's Solicitor addressed the Committee on the issues raised and responded to questions.

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.

4.2 Street Traders Operator's Licence: STL/O/528 (Amend): Nicola Robinson and James Smith

At a previous meeting on 24 October 2022, the Committee agreed to continue consideration of this application.

The applicants, having been duly cited to attend, were present.

The applicants addressed the Committee on the issues raised and responded to questions.

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, with the amendment of Standard Condition C.3 ("Movement") to refer to "60 minutes" instead of "20 minutes".

4.3 Street Trader Operator's Licence: STL/O/534 (New Temp): Daisy McConnachie

At a previous meeting on 24 October 2022, the Committee agreed to continue consideration of this application.

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

The applicant addressed the Committee on the issues raised and responded to questions.

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

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.

Appendix B: Applications for Licences/Renewal of Licences

4.4 TDL/02353 (New): Hasher Murad

The Committee 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.

4.5 STL/O/5535 (New): Chris and Emma Ferguson

The Committee 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.

The meeting ended at 10.55 a.m.