

Licensing Committee
12 August 2011

IRVINE, 12 August 2011 - At a Special Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m.

Present

Elisabethe Marshall, Robert Barr, Ruby Kirkwood, John Moffat and Joan Sturgeon.

In Attendance

W. O'Brien, Senior Solicitor (Licensing), D. Murdoch, Senior Environmental Health Officer and A. Toal, Administrative Assistant (Corporate Services); C. Rowney and P. Palmer, Communications Officers and A. Little, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Marshall in the Chair.

Apologies for Absence

William Gibson.

1. Declarations of Interest

There were no declarations of interest by Members in terms of Standing Order 16.

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

Submitted report by the Solicitor to the Council on Hearings to be determined, all in terms of the Civic Government (Scotland) Act 1982.

The Committee agreed to dispose of these matters as indicated in the attached Appendix LC1.

3. Regulation of Charitable Collections: Civic Government (Scotland) Act 1982 Section 119

Submitted report by the Solicitor to the Council on previous Collection Permissions.

At its meeting on 14 June 2011, the Licensing Committee considered a report by the Solicitor to the Council on a Financial Account lodged by a Collection Organiser following a Collection.

The Committee agreed that the report be continued to a future meeting in order that information be provided on (a) the number of other charitable collections undertaken that paid 30% or less to the beneficiaries; and (b) the appropriate percentage of the money collected that should be passed to the beneficiary.

The report provided information on Section 119 of the Civic Government (Scotland) Act 1982 in respect of charitable collections, and the grounds on which the Council can refuse permission for a charitable collection. Details of a survey of charitable collections undertaken in North Ayrshire, and the proportion of money collected that was passed to the beneficiaries, was provided as an appendix to the report. Information was also provided on the money collected by C & M Partnership during a 6 day period from 25 April 2011, including a breakdown of the expenses deducted and the amount paid to the beneficiary.

The Committee discussed the general issue of collections and a proposed amendment to the Scheme of Delegation to limit the powers of the Senior Solicitor (Licensing) to grant a permission under delegated powers to cases where the applicant provides a written undertaking that no less than a specified minimum percentage of the gross proceeds will be paid to the beneficiary.

The Committee agreed to continue consideration of this item to a future meeting.

The meeting ended at 10.55 a.m.

PART C

1. Public Charitable Collection (New) C & M Partnerships

C & M Partnerships have applied for permission for a Public Charitable Collection.

M. Cassidy, of C & M Partnerships was in attendance.

The Senior Solicitor (Licensing) set out the background to the application. Thereafter the applicant addressed the Committee on the issues raised and responded to questions.

The applicant then withdrew to allow the Committee to deliberate, returning 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) (b) of Schedule 1 of the Civic Government (Scotland) Act 1982.

2. PEL/118 (New) Kelburn Productions

Kelburn Productions have applied for a Public Entertainment Licence. An objection has been received from a local resident, Mr Benson.

D. Boyle, of Kelburn Productions, his representative Z. Shaw, and a representative from North Ayrshire Council's Environmental Health Section were in attendance. The objector, Mr Benson, was also in attendance.

The Senior Solicitor (Licensing) set out the background to the application. The objector addressed the Committee setting out concerns in relation to noise disturbance. The representatives from Environmental Health addressed the Committee on periodic noise monitoring checks that had been undertaken. Thereafter the applicant and his representative addressed the Committee on the issues raised and responded to questions.

The applicant and his representative, the objector and the representative from Environmental Health then withdrew to allow the Committee to deliberate, returning 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) (b) of Schedule 1 of the Civic Government (Scotland) Act 1982.