

Licensing Committee
26 July 2011

IRVINE, 26 July 2011 - At a Special Meeting of the Licensing Committee of North Ayrshire Council at 10.00 a.m.

Present

Elisabeth Marshall, Robert Barr, Ian Clarkson, Ruby Kirkwood and Alan Munro.

In Attendance

P. Boyle, Legal Services Manager, W. O'Brien, Senior Solicitor (Licensing), J Delury, Chief Building Standards Officer and A. Toal, Administrative Assistant (Corporate Services); K. Dyson, Communications Officer and A. Little, Committee Services Officer (Chief Executive's Service).

Chair

Councillor Marshall in the Chair.

Apologies for Absence

William Gibson and John Moffat.

1. Declarations of Interest

In terms of Standing Order 16, Councillor Clarkson, as a member of the Marymass Development Committee, declared an interest in Agenda Item 2, Hearing No. 2.

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

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

The Committee agreed to dispose of this matter as indicated in the attached Appendix LC1.

The meeting ended at 11.25 a.m.

PART A

Public Entertainment Licence

The Committee was advised of an enquiry in relation to the establishment of a 'buggy-fit' power-pramming fitness class for mothers and their babies in Largs, on a piece of grassed land next to the main sea-front car park.

The Chief Building Standards Officer advised the Committee that the Council would require to be satisfied that there was adequate toilet provision.

The Committee was not satisfied that the proposal was within the exemption in Section 41(2)(a) of the Civic Government (Scotland) Act 1982 for 'an athletic or sports ground while being used as such', and accordingly advised that the proposal would require a Public Entertainment Licence. On this occasion, on a one-off basis the Committee agreed that no fee would be charged.

PART C

1. MOL/030 (New) Fayre Events Ltd

Fayre Events Ltd have applied for a Market Operator's Licence, which includes the erection of various marquees as part of the Largs Viking Festival. The applicant has requested that the licence be granted for a 3 year period.

The applicant's representative, Mr Dobbie, and a representative from North Ayrshire Council's Building Standards Section were in attendance.

The Senior Solicitor (Licensing) set out the background to the application. The representative from Building Standards then addressed the Committee outlining the variety of areas that require to be inspected, on each occasion that a temporary structure is constructed, to ensure public health and safety requirements are met. Thereafter the applicant addressed the Committee on the issues raised and responded to questions.

The Senior Solicitor (Licensing) explained to Mr Dobbie that the licence which the Committee might grant would relate only to the 'Largs Viking Festival' in 2011, and would not cover the 'Largs Yuletide Festival' in 2011. Mr Dobbie agreed that he was only seeking a licence for the period 27 August to 4 September 2011, where the hours would be 9.00 to 18.30 (except for Friday 2 September 2011 when the terminal hour would be 22.00).

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 conditions in terms of Paragraph 5 (1) (b) of Schedule 1 of the Civic Government (Scotland) Act 1982; and (b) in terms of Paragraph 8 (2) (b) of the said Schedule to fix the period of the licence, for the period 27 August - 4 September 2011.

The Senior Solicitor (Licensing) again explained to Mr Dobbie that the application before the Committee related only to the 'Largs Viking Festival' in 2011, and did not cover the 'Largs Yuletide Festival' in 2011, or events in later years or different locations.

2. PEL/002 (New) William Codona & Sons

William Codona and Sons have applied for a Public Entertainment Licence for the fair during Marymass Festival.

The applicant, having been duly cited to attend was not present. A representative from North Ayrshire Council's Building Standards Section was in attendance.

The Senior Solicitor (Licensing) set out the background to the application. The representative from Building Standards then provided the Committee with information on the current ground conditions of the site and the location of the fair within the site at Williamsfield, Irvine and answered questions. The Committee was also advised about the arrangements for reinstatement of the ground after the event, and referred to the lease conditions.

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.