

MORAY COUNCIL

MINUTE OF SPECIAL MEETING OF THE LICENSING COMMITTEE

WEDNESDAY 27 JUNE 2018

COUNCIL CHAMBERS, ELGIN

PRESENT

Councillors A Patience (Chair), J Allan, T Coull, G Cowie, P Coy, J Divers, R Edwards, D Gatt, A McLean and M McLean.

APOLOGIES

Apologies for absence were intimated on behalf of Councillors Laing, R McLean and Shepherd

IN ATTENDANCE

Mr S Hoath, Solicitor (Litigation & Licensing) as Legal Advisor to the Committee and Mrs T Sutherland, Committee Services Officer as Clerk to the Committee.

1. DECLARATION OF GROUP DECISIONS AND MEMBER'S INTERESTS

In terms of Standing Order 20 and the Councillors' Code of Conduct there were no declarations from group leaders or spokespersons in regard to any prior decisions taken on how Members will vote on any item on the agenda or any declarations of Member's interests in respect of any item on the agenda.

2. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – APPLICATION FOR GRANT OF A PUBLIC ENTERTAINMENT LICENCE (Case No. PEL/18/001)

A report by the Acting Corporate Director (Corporate Services) invited the Committee to consider an application for the grant of a public entertainment licence received on 22 May 2018 subject to an adverse representation received on behalf of the Chief Constable.

The Committee noted that the Applicant was not in attendance and the Objector, the Chief Constable of Police Scotland, was represented by Police Constable Roy Thomson, Police Scotland.

PC Thomson addressed the Committee and responded to questions raised by the Committee.

Following consideration the Chair asked PC Thomson if he was happy with proceedings and if they felt they had had a fair hearing.

PC Thomson advised that he was happy with proceedings and stated he felt he had had a fair hearing.

Following consideration the Committee agreed to grant the application for a public entertainment licence in respect of Case No. PEL/18/001 with the following conditions imposed as per Police Scotland's representation:

- An adequate number of staff/volunteers/stewards should have knowledge of first aid procedure
- Appropriate stewarding will be in place to provide adequate control of the premises and is to be in accordance with stewarding plan submitted. The said stewarding plan must be adhered to for the duration of the event
- The applicant will comply with all reasonable/lawful requests made by authorised officers of the Local Authority and/or Police Officers
- All reasonable requests, which do not have an operational impact, made by the Police or Local Authority officials should be complied with
- The Chief Constable or the most senior officer present may, if he or she reasonably believes that there is, or is likely imminently, to be a serious threat to public safety on, or in the vicinity of the licensed event, including where a breach of licensing conditions would pose a serious threat to public safety, close the event immediately for such a period as may be necessary.

3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 – APPLICATION FOR GRANT OF A PUBLIC ENTERTAINMENT LICENCE (Case No. PEL/18/002)

A report by the Acting Corporate Director (Corporate Services) invited the Committee to consider an application for the grant of a public entertainment licence received on 22 May 2018 subject to an adverse representation received on behalf of the Chief Constable.

The Committee noted that the Applicant was not in attendance and the Objector, the Chief Constable of Police Scotland, was represented by Police Constable Roy Thomson, Police Scotland.

PC Thomson addressed the Committee and responded to questions raised by the Committee.

Following consideration the Chair asked PC Thomson if he was happy with proceedings and if they felt they had had a fair hearing.

PC Thomson advised that he was happy with proceedings and stated he felt he had had a fair hearing.

Following consideration the Committee agreed to grant the application for a public entertainment licence in respect of Case No. PEL/18/002 with the following conditions imposed as per Police Scotland's representation:

- An adequate number of staff/volunteers/stewards should have knowledge of first aid procedure
- Appropriate stewarding will be in place to provide adequate control of the premises and is to be in accordance with stewarding plan submitted. The said stewarding plan must be adhered to for the duration of the event

- The applicant will comply with all reasonable/lawful requests made by authorised officers of the Local Authority and/or Police Officers
- All reasonable requests, which do not have an operational impact, made by the Police or Local Authority officials should be complied with
- The Chief Constable or the most senior officer present may, if he or she reasonably believes that there is, or is likely imminently, to be a serious threat to public safety on, or in the vicinity of the licensed event, including where a breach of licensing conditions would pose a serious threat to public safety, close the event immediately for such a period as may be necessary.