



**MINUTES OF THE MEETING OF THE
LICENSING SUB-COMMITTEE OF THE CABINET**

**THURSDAY 10 SEPTEMBER 2015
COUNCIL CHAMBER, TOWN HOUSE, HADDINGTON**

Committee Members Present:

Councillor J McNeil (Chair)
Councillor J Caldwell
Councillor J McMillan
Councillor J Williamson
Councillor D Grant
Councillor F McAllister

Council Officials Present:

Mrs K MacNeill, Service Manager, Licensing, Administration and Democratic Services
Mr I Forrest, Senior Solicitor
Ms D Richardson, Licensing Administration Assistant
Mr A Kelley, Transport Compliance Officer (Item 1, First application only)

Others Present:

Insp A Harborough, Police Scotland
PC H Bowsher, Police Scotland
Ms C Allan, Police Scotland

Clerk:

Mrs F Stewart

Apologies:

None

Declarations of Interest:

Councillor Grant declared an interest in the first application for a Second Hand Car Dealer's Licence.

SUMMARY OF PROCEEDINGS – EXEMPT INFORMATION

The Licensing Sub-Committee unanimously agreed to exclude the public from the following business containing exempt information by virtue of Paragraph 6 (information concerning the financial or business affairs of any particular person other than the Authority) of Schedule 7A to the Local Government (Scotland) Act 1973.

1. Applications for the Grant of a Taxi/Private Hire Car Licence

The Sub-Committee had received five applications for a licence; two were granted, one was refused and two were continued to the next meeting.

2. Applications for the Grant of a Second Hand Dealer's Licence

The Sub-Committee had received two applications for a licence and both were granted.

3. Private Minute of the Licensing Sub-Committee meeting on 23 July 2015

The minute of the Licensing Sub Committee of 23 July 2015 was approved.

Public

4. Proposed Amendment of the Resolution on Public Entertainment Licensing

The Depute Chief Executive, Resources and People Services, had submitted a report to advise the Sub-Committee of the outcome of the public consultation on the proposal to amend and update the list of activities in the Resolution to licence Public Entertainment Activities and to obtain the Sub-Committee's agreement to, and adoption of, the amended resolution. The proposed update to the Resolution was attached to the report and listed the types of activity which would be included.

The Legal Adviser stated that the original list of activities for which a licence is required was amended in 2013 following a change in legislation, although the list of activities that required a licence was not significantly altered at that time. It was now considered that the list of activities required to be updated. A public consultation on the proposed amended resolution had taken place and closed on 17 August. Three responses had been received. The first was an affirmative response and the second response suggested that local Christmas markets be added to the exemption for Galas in Section 5 of the resolution. However, the Legal Adviser advised that markets required a Market Operator's Licence and did not need a Public Entertainment Licence. The final response made suggested additions to the list of events that should require a Public Entertainment Licence. These were sporting events to which the public are admitted such as golf opens, festivals generally, air shows and highland games.

The Sub-Committee discussed a number of sporting and community events, both charitable and commercial and considered a number of proposals.

Councillor Grant enquired as to the cost of a Public Entertainment Licence and the Legal Adviser stated that the cost of a licence was on a sliding scale beginning at £100 and applied only to events attracting 150 people or more.

Decision

The Sub-Committee:

- (i) noted the outcome of the public consultation on Public Entertainment Licensing,
- (ii) agreed the amended resolution, taking account of the comments made by consultees,
- (iii) adopted the amended resolution in the terms agreed, and
- (iv) authorised the Service Manager - Licensing, Administration & Democratic Services and such staff as she may designate to advertise the new resolution in the local press.