

LICENSING COMMITTEE

Minutes of special meeting held via Microsoft Teams on 13 December 2021

Chair:

Councillor David Shearer

Councillors Present:

Councillor John Bradley, Councillor Andy Carmichael, Councillor Margaret Cowie (*substitute for Councillor Catherine McClymont*), Councillor Poppy Corbett, Councillor Mary Donnelly, Councillor Grant Ferguson, Councillor Mark Horsham, Councillor Martin Grant Hose, Councillor Martin Lennon, Councillor Richard Lockhart, Councillor Eileen Logan, Councillor Julia Marrs (Depute), Councillor Kenny McCreary, Councillor Colin McGavigan, Councillor Jim McGuigan, Councillor Davie McLachlan, Councillor Gladys Miller, Councillor Graham Scott (*substitute for Councillor Lynsey Hamilton*), Councillor Jim Wardhaugh

Councillors' Apologies:

Councillor Alistair Fulton, Councillor Geri Gray, Councillor George Greenshields, Councillor Lynsey Hamilton, Councillor Catherine McClymont, Councillor Mark McGeever, Councillor John Ross (ex officio), Councillor Bert Thomson

Attending:

Community and Enterprise Resources

K Wratten, Resilience Adviser

Finance and Corporate Resources

C Lyon, Administration Officer; G McCann, Head of Administration and Legal Services; G Mays, Legal Services' Adviser; L Robertson, Licensing and Registration Team Leader; L Steele, Licensing and Registration Assistant; T Little, Head of Communications and Strategy; L Wyllie, Administration Assistant

1 Declaration of Interests

The following interest was declared:-

Councillor(s)	Item(s)	Nature of Interest(s)
Thomson	Civic Government (Scotland) Act 1982 (As Amended) – Application for a Temporary Public Entertainment Licence	Expressed views prior to Committee

2 Urgent Business

There were no items of urgent business.

3 Exclusion of Press and Public

The Committee decided:

that, in terms of Section 50A(4) of the Local Government (Scotland) Act 1973, the press and public be excluded from the meeting for the following item of business on the grounds that it was likely that there would be disclosure of exempt information in terms of Paragraph 6 of Part I of Schedule 7A of the Act.

4 Civic Government (Scotland) Act 1982 (As Amended) – Application for a Temporary Public Entertainment Licence

A report dated 26 November 2021 by the Executive Director (Finance and Corporate Resources) was submitted on an application for a temporary public entertainment licence in terms of the Civic Government (Scotland) Act 1982 (as amended).

In terms of the Civic Government (Scotland) Act 1982 (as amended), the opportunity of a hearing had been offered to the applicant who was present and heard, along with A Stewart, in support of the application.

A representation had been received from the Chair of the Events Safety Advisory Group and K Wratten was heard.

A representation had been received from Scottish Gas Networks and C Lawrie, Stakeholder and Community Manager and J Findlay, Network Planning Manager were heard.

A representation had been received from Scottish Fire and Rescue Services and J Divers and A Kenna were heard.

A representation had been received from Police Scotland and Inspector Campbell and Superintendent Higgins were heard.

Letters of support had been received from Councillors Allison, Holford and McAllan who were heard in support of the application.

A letter of support had also been received from A Stewart, Biggar Community Council.

Various letters of support had been received from members of the public and local businesses.

Following detailed discussion, Councillor Wardhaugh, seconded by Councillor Lennon moved that the application be granted. By way of amendment, Councillor Lockhart, seconded by Councillor McGavigan moved that the application be granted with conditions.

Following further discussion, Councillor Lennon advised that he was happy to support the grant with conditions. Councillor Wardhaugh advised that he was also in agreement and withdrew his motion.

The Committee decided: that the application by Biggar Community Council and L Craise for a temporary public entertainment licence at Corn Exchange, High Street, Biggar be granted with the following conditions:-

- ◆ access to be made available in advance for SGN to undertake trial holes to confirm the true depth of the pipe(s) in the immediate vicinity of the proposed location and to confirm that its integrity remained sound
- ◆ SGN to perform a gas detection inspection within the immediate area (to confirm there were no existing gas escapes)
- ◆ that the 12” to 15” foundation of gravel confirmed as established in previous years, be again put in place as the foundation of the bonfire prior to construction
- ◆ that a minimum distance of 5m be established from the location of all SGN pipes to the boundary of the bonfire

- ◆ that SGN be allowed to inspect the bonfire on the day of the event to confirm those mitigations had been established
- ◆ the maximum dimensions of the bonfire be 5m x 5m
- ◆ the applicant to appoint a properly qualified Fire Marshall who would be responsible for the bonfire throughout its construction and the period it was burning
- ◆ the bonfire be extinguished on the morning of 1 January 2022

In terms of Standing Order No 13, the Chair adjourned the meeting at 3.44pm and reconvened at 3.50pm. Councillor Corbett was not present when the meeting reconvened. The Chair adjourned the meeting again at 5.05pm and reconvened at 5.10pm. Councillor Horsham was not present when the meeting reconvened.

Councillor McLachlan, as the mover of a motion which failed to find a seconder, asked that his dissent be recorded. Councillor Thomson, having declared an interest in this item of business was not present at the meeting