

LICENSING COMMITTEE

At a Special Meeting of the Licensing Committee held in the Civic Space, Council Offices, 16 Church Street, Dumbarton on Friday, 9 November 2018 at 10.05 a.m.

Present: Councillors Jim Brown, Jonathan McColl, John Mooney and Brian Walker.

Attending: Raymond Lynch, Section Head (Licensing); Robert Mackie, Senior Officer (Licensing Services); Lawrence Knighton, Licensing Standards Officer and Craig Stewart, Committee Officer.

Also Attending: Constable Alison Simpson, Police Scotland and James Clark, Watch Manager, Scottish Fire and Rescue Service (SFRS).

Apologies: Apologies for absence were intimated on behalf of Councillors Ian Dickson, Jim Finn, Marie McNair and Lawrence O'Neill.

Councillor Jonathan McColl in the Chair

ADJOURNMENT

After hearing Councillor McColl, Chair, the meeting adjourned for a short period to allow Mr Clark, Watch Manager, SFRS to attend, whom it was noted was on his way to the meeting.

The meeting resumed at 10.20 a.m. with the same Members present as listed in the sederunt.

DECLARATION OF INTEREST

It was noted that there were no declarations of interest in any of the items of business on the agenda.

EXCLUSION OF PRESS AND PUBLIC

The Committee declined to pass the following resolution:-

“That under 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 may involve the likely disclosure of exempt information as defined in Paragraph 14 of Part 1 of Schedule 7A of the Act.”

In view of the resolution being declined, the application was therefore heard in public.

APPLICATION FOR GRANT OF A PUBLIC ENTERTAINMENT LICENCE

Name and Address of Applicant

Date Applied

Michael Reilly
114 Craigielea Road
Duntocher
Clydebank
G81 6LA

8 October 2018

A report was submitted by the Strategic Lead – Regulatory concerning an application for Grant of a Public Entertainment Licence by the above named person.

It was noted:-

- (a) that a letter had been received from the Chief Constable of Police Scotland on 25 October 2018 submitting a comment in relation to the application and that copies of the letter had been circulated to Members in advance of the meeting;
- (b) that in view of the letter received from Police Scotland, the applicant and a representative of Police Scotland had been invited to attend the meeting of the Committee in order that a hearing could take place;
- (c) that the applicant, Mr Michael Reilly, was in attendance;
- (d) that a representative of Police Scotland, Constable Alison Simpson was in attendance;
- (e) that subsequently an email had been received from the Scottish Fire and Rescue Service (SFRS) making comment in relation to the application, and particularly the view from them that the site for this event, in the opinion of SFRS, was unsuitable due to the proximity of the buildings to the firing site and the fact that the minimum safe distances for a fallout zone which was required to be kept clear and was not being met; and
- (f) that the applicant had brought with him copies of a revised Method Statement for Members, setting out the procedure to be followed in terms of event preparations, to consider during their deliberations.

The Committee then heard from Constable Simpson in relation to the letter from Police Scotland.

Thereafter Mr Clark was heard in respect of observations from the SFRS, and it was noted that it had been made clear at a previous meeting with the applicant 2 years ago that he had been advised to relocate to an alternative venue if he intended to continue with this event on an annual basis.

ADJOURNMENT

As Mr Clark had not seen the revised Method Statement, referred to at (f) above, the Committee agreed, having heard Councillor McColl, that the meeting be adjourned to allow Mr Clark to read over the terms of the document.

The Committee reconvened at 10.34 a.m. with all Members listed in the sederunt in attendance.

Mr Clark advised, that having considered the terms of the revised Method Statement, which he had just seen, he was of the provisional view that it did not alter the original concerns the SFRS had in relation to the application, particularly having looked at moving the firing site to other parts of the yard, it was clear that there was nowhere at this location that allowed the firing site to meet the minimum safe distances for the fallout zone without putting work premises and dwellings at risk. The applicant, Mr Reilly, then took the opportunity to ask questions of Mr Clark, in view of the representation from the SFRS.

Councillor McColl, Chair, then invited Mr Reilly to speak in support of his application, following which both parties summed up their respective cases and then withdrew from the meeting, in order to enable Members to deliberate in private.

DECIDED:-

After the Committee had deliberated the matter in private, both parties were re-admitted to the meeting and advised that the application be refused on the grounds that given the location and character of the site there was a significant risk to public safety.

The meeting closed at 11.36 a.m.