

# Agenda

## Special Meeting of Licensing Committee

**Date:** Wednesday, 30 March 2022

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**Time:** 14:00

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**Format:** Hybrid Meeting

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**Contact:** Lynn Straker, Committee Officer  
Email: [lynn.straker@west-dunbarton.gov.uk](mailto:lynn.straker@west-dunbarton.gov.uk)

Dear Member

Please attend a **Special Meeting of Licensing Committee** as detailed above.

The Convener has directed that the powers contained in Section 43 of the Local Government (Scotland) Act 2003 will be used and Members and parties to the proceedings will have the option to attend the meeting remotely or in person at the Civic Space, 16 Church Street, Dumbarton, G82 1QL.

The business is shown on the attached agenda.

Yours faithfully

**JOYCE WHITE**

Chief Executive

**Distribution:**

Councillor Jim Finn (Chair)  
Councillor Karen Conaghan  
Councillor Ian Dickson  
Councillor Caroline McAllister  
Councillor Jonathan McColl (Vice Chair)  
Councillor Lawrence O'Neill  
Councillor Brian Walker  
Vacancy

All other Councillors for information.

Date issued: 23 March 2022

**LICENSING COMMITTEE**  
**WEDNESDAY, 30 MARCH 2022**

**AGENDA**

**1      STATEMENT BY THE CHAIR**

**2      APOLOGIES**

**3      DECLARATIONS OF INTEREST**

Members are invited to declare if they have an interest in any of the undernoted items of business on this agenda and, if so, state the reasons for such declarations.

**4      RECORDING OF VOTES**

The Committee is asked to agree that all votes taken during the meeting will be done by roll call vote to ensure an accurate record.

**5      OPEN FORUM**

The Committee is asked to note that no open forum questions have been submitted by members of the public.

**6      APPLICATION FOR GRANT OF A TEMPORARY PUBLIC  
ENTERTAINMENT LICENCE**

**5 - 15**

Submit report by the Chief Officer – Regulatory and Regeneration to consider an application for grant of a temporary Public Entertainment Licence submitted by Mr. William Keith Taylor.



**WEST DUNBARTONSHIRE COUNCIL**

**Report by Chief Officer – Regulatory & Regeneration**

**Special Meeting of the Licensing Committee – 30 March 2022**

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**Subject: Application for grant of a temporary Public Entertainment Licence**

**1. Purpose**

- 1.1** To consider an application for grant of a temporary Public Entertainment Licence submitted by Mr. William Keith Taylor, 1-5 Niddrie Mains Road, Edinburgh EH16 4BE.

**2. Recommendations**

- 2.1** It is recommended that the application be considered and determined by the Committee.

**3. Background**

- 3.1** Mr. Taylor submitted an application for grant of a temporary Public Entertainment Licence to the Council on 1 March 2022.

- 3.2** Mr. Taylor's application seeks permission to hold a funfair at Dumbarton Common, Dumbarton on the following dates and times:-

Saturday 23 April 2022 to Monday 2 May 2022

Weekdays 4.00pm to 8.00pm

Weekends 1.00pm to 8.00pm

- 3.3** At a meeting of the Licensing Committee held on 7 August 2019 it was agreed:-

(1) to impose additional notification requirements on applicants requesting a temporary public entertainment licence for a commercial funfair, a firework event or a live amplified music event;

(2) to delegate authority to the Strategic Lead – Regulatory (now Chief Officer Regulatory and Regeneration) to decide the revised procedure so that an applicant for a commercial funfair, firework event or live amplified music event would have to display a notice at or near to the site, and that the local Council would advertise the application in the relevant local newspaper at the applicant's cost. This cost would be reflected in an increased fee for an application for a commercial temporary public entertainment licence;

(3) that all relevant Community Councils, local ward Elected Members and Members of the Licensing Committee would be informed of such applications who would require to provide these additional notification requirements; and

(4) that the advertisement requirements for temporary public entertainment licences would be for a period of 14 days, and that any relevant representations/objections would be made to the Clerk to the Licensing Committee within 14 days of publication of such notifications. Thereafter, in the event that any relevant objections or representations were received, the Committee would determine such applications where the applicant had applied timeously which would require to be within three months of the proposed event.

- 3.4** A notice was placed in the 8 March 2022 edition of the Dumbarton Reporter advising of the proposed funfair stating that the last date for objections or representations be received no later than 22 March 2022.
- 3.5** All members of the Licensing Committee, local ward Elected Members and the local Community Council were notified of the application on 1 March 2022.
- 3.6** A site notice was displayed near to the proposed site of the funfair on 4 March 2022.
- 3.7** In normal circumstances applicants are advised to apply for a temporary Public Entertainment Licence to hold a funfair at least 3 months before the intended date of the event. The application from Mr. Taylor was accepted approximately 2 months prior to the proposed date of commencement, that being 23 April 2022, given the difficulties funfair operators have experienced due to the pandemic.
- 3.8** At the time of writing this report 3 letters of objection have been received representing the views of 8 local residents from 5 properties in the vicinity of Dumbarton Common those being; Rose Harvie, Kenneth Goodwin, Anne Goodwin, Mona MacLeod, Mr. and Mrs P. McFadden and Mr. and Mrs Dealy.
- 3.9** At the time of writing this report, no adverse comments had been received from Police Scotland, Fire Scotland, Environmental Health, Planning or Roads in relation to the application.

#### **4. Main Issues**

- 4.1** In view of the letters of objection which have been received, the objectors and the applicant have been invited to attend the meeting of the Committee to be held on 30 March 2022.
- 4.2** The terms of the letters of objection from the local residents will be made known to the Committee at the meeting as appropriate.
- 4.3** In the event that any further objections or representations are received, these will be made known to the Committee at the meeting as appropriate

#### **5. People Implications**

- 5.1** There are no personnel issues.

## **6. Financial Implications**

**6.1** There are no financial implications

## **7. Risk Analysis**

**7.1** There is no increased risk to the Council associated with the contents of this report.

## **8. Equalities Impact Assessment (EIA)**

**8.1** No impact assessment is required because this report does not involve any change to policies or services or financial decisions.

## **9. Consultation**

**9.1** Police Scotland, Fire Scotland, Environmental Health, Planning, Roads, Licensing Committee Members, local Ward Members and the local Community Council were consulted in relation to the application. An advert was placed in the 8 March 2022 edition of the Dumbarton Reporter. Site notices were displayed near to the proposed site.

## **10. Strategic Assessment**

**10.1** In terms of the Council's Strategic Priorities, the purpose of licensing is to protect the welfare of the community, including vulnerable people.

Chief Officer – Regulatory &

Regeneration Date 22 March 2022

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**Person to Contact:** Robert Mackie  
Senior Officer (Licensing Services)  
Licensing Team  
Municipal Buildings  
College Street  
Dumbarton  
G82 1NR.  
  
Tel. No. 07721 466336  
[robert.mackie@west-dunbarton.gov.uk](mailto:robert.mackie@west-dunbarton.gov.uk)

**Appendices:** Appendix 1 - Letters of Objection

### **Background Papers:**

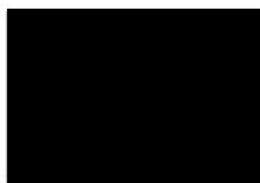
**1.** Application for grant of temporary Public Entertainment Licence submitted by

Mr. William Keith Taylor, 1-5 Niddrie Mains Road, Edinburgh EH16 4BE.

2. Three letters of objection from local residents Rose Harvie, Kenneth Goodwin, Anne Goodwin, Mona MacLeod, Mr. and Mrs P. McFadden and Mr. and Mrs Dealy.
3. Letter to Mr. Taylor dated 23 March 2022.
4. Letters to Rose Harvie, Kenneth Goodwin, Anne Goodwin, Mona MacLeod, Mr. and Mrs P. McFadden and Mr. and Mrs Dealy dated 23 March 2022.

**Wards Affected:** Ward 3 - Dumbarton.





15th March 2022

Tel:



E-mail:



Mr Peter Hassett

Chief Officer - Regulatory and Regeneration



Dear Mr Hassett

Application re Public Entertainment Licence made by William Taylor

We are writing to you today to raise an objection to the application made by William Taylor for a Public Entertainment Licence in the form of a Funfair to be sited at Dumbarton Common from 23rd April to 2nd May 2022.

In relation to this we would like to take this opportunity to highlight the reasons why we are objecting to this application.

Parking in Meadow Road for residents can be difficult as spaces are very limited. On a daily basis the overspill from the Meadow Centre can cause residents difficulty in parking outside their own front door. Restrictions on Williamson Avenue are also at the moment causing parking problems

therefore Funfair parking for families and individuals who would like to attend the Funfair will cause even more unnecessary parking difficulties.

Residents in Meadow Road have also previously raised concerns in relation to loud music and occasionally anti-social behaviour which has occurred in previous years.

Although many people, who will be attending the Funfair, are aware of the problem in relation to litter it does not stop people dropping litter carelessly. We were very aware last summer that staff from the Funfair did their very best to control and tidy up unnecessary litter being dropped around the common.

Last year organisers of the Funfair did their very best to make sure that the Funfair was a family friendly activity. We have no objection to the people who organise this event however we do think that the common is used by one and all for dog walking, walking, jogging, football activities, meeting friends for a chat, healthy activities with families using the keep fit resources around the common and generally an excellent space for everyone.

Dumbarton Common due to flooding is not the best place for the machinery which will be used causing unnecessary damage to this beautiful space. Also the noise, the impact on traffic and parking, the increase in litter and potential disruptive behaviour are all factors which highlight the importance of a Funfair being totally unsuitable on Dumbarton Common.

We would be grateful if the above mentioned reasons for our objection can be taken into consideration so therefore we put forward that this application should be rejected or, if possible, that an alternative site is made available to the applicant.

Yours sincerely

[REDACTED]

Mr and Mrs P. McFadden

Mr and Mrs Dealy (residents of

[REDACTED]



[REDACTED]  
e-mail – [REDACTED]

Wednesday 9<sup>th</sup> March 2022.

Peter Hassett  
Chief Officer – Regulatory and Regeneration  
[REDACTED]

Dear Mr Hassett

Application for a Public Entertainment Licence made by William Taylor.

I wish to enter an objection to the application made by William Taylor for a Public Entertainment Licence in the form of a Funfair to be sited on Dumbarton Common from 23<sup>rd</sup> April to 2<sup>nd</sup> May 2022.

The objection is made on the following grounds.

1. The residents of Meadow Road have been subjected in the past to extremely negative experiences arising from the presence of the Shows on the Common. These experiences included loud music, difficulties in parking, and on occasions severe anti-social behaviour from certain groups attending the Shows. This anti-social behaviour included gang fights taking place in our gardens, to our great alarm and anxiety.
2. The Common is a wonderful space within the town. However, it is often subject to flooding after heavy rain and the surfaces become very soft. The placement of heavy vehicles and equipment on these surfaces leads to damage. The Common is simply not a suitable location for heavy equipment.
3. Parking in Meadow Road is difficult at any time. As a result of restrictions imposed on residents of Williamson Avenue in recent months the situation has been exacerbated. The car park at the Meadow Centre is frequently at full capacity and thus has limited availability for anyone wishing to park there while attending the Shows.
4. As part of the Fun of the Fair, loud music has often been played. All good fun, but very unpleasant for those of us who live nearby.
5. The presence of the Shows leads to an increase in the amount of litter which is to be found in the area. Members of the Shows Staff do their best to tidy up but even their best efforts do not remove the problem.

I should stress that our objections are not to the conduct of those who organise and work at the Shows. We wish them well, especially at a time when their business is recovering from the restrictions made necessary by the pandemic. Our objection is that the Common – a dear green space – is simply not suitable for the placement. A hard surface would be a much better base for the machinery and equipment involved. (In this connection we note that there is another application for a Funfair to be sited at Bank Street carpark in Alexandria. This site has the advantage of

providing a hard surface for vehicles and equipment. This is noted without any prejudice intended towards local residents who may wish to object on other grounds!)

The noise, the impact on traffic, including parking, the increase in litter, and the potential for disruptive behaviour in the vicinity are all factors which compound the unsuitability of the Common as a site for a Funfair.

We request that the application be rejected – or that an alternative site is made available to the applicant.

Yours sincerely,

[REDACTED]  
Kenneth Goodwin

[REDACTED]  
Anne Goodwin

[REDACTED]  
Mona MacLeod (resident at [REDACTED])

[REDACTED]  
[REDACTED]  
e-mail [REDACTED]

18<sup>th</sup> March 2022

To: Peter Hissett  
Chief Officer, Regulatory and Regeneration  
[REDACTED]  
[REDACTED]

Dear Mr Hissett

**Application for a Public Entertainment Licence by William Taylor  
Funfair on Dumbarton Common, 23<sup>rd</sup> April – 2<sup>nd</sup> May 2022**

I wish to object to this application on the following grounds:

1. The proposed site is immediately adjacent to various private residential properties. On past occasions of this type of application being granted, residents of Meadow Road have been subjected to substantial amounts of noise during the event.
2. The proposed site is subject to occasions of flooding. During and after heavy rain the area is extremely muddy. The ground is not suitable for heavy vehicles, either during erection of facilities, during the event, or when clearance of the event takes place.
3. I would suggest that parking by patrons of the event may be problematic. There is very limited parking in Meadow Road, and nearby streets, and residents may be severely limited in their ability to park their own cars during the event. Any parking on the event area will add substantially to the muddy nature of the site.
4. There is likely to be a daily occurrence of littering, and possibly anti-social behaviour.
5. I accept that an event of this nature will provide a great deal of pleasure for patrons, and financial benefits to the organisers. However, I do not consider Dumbarton Common to be a suitable area. Would it not be possible for WDC to provide another area in Dumbarton (other than the one in Alexandria) that WOULD be more suitable?

I would ask you to refuse this application on the above-mentioned grounds.

Rose Harvie  
[REDACTED]

**LEGAL & ADMIN**

**18 MAR 2022**

**RECEIVED**