

EAST AYRSHIRE COUNCIL

**SPECIAL LOCAL GOVERNMENT LICENSING PANEL
16 JULY 2007**

APPLICATION FOR GRANT OF A PUBLIC ENTERTAINMENT LICENCE

Report by Executive Director of Corporate Support

1. PURPOSE OF REPORT

- 1.1 To invite the Panel to consider and determine an application for the grant of a Public Entertainment Licence.

2. BACKGROUND

- 2.1 An application has been received from Robert Roberts, PO Box 12, Oundle, Peterborough, (T/A Bobby Roberts Super Circus) in respect of a Circus to be held in the Scott Ellis Playing Fields, Kilmarnock during the period 17 to 22 July 2007.
- 2.2 In accordance with the agreed procedure, notice of the application for grant of licence was advertised in the Public Notices Section of the Kilmarnock Standard in the edition of 22 June 2007. Due to the timing of the presentation of the application as compared with the dates with the proposed event, it was agreed in consultation with the Chair to set this special meeting of the Licensing Panel on 16th July, being the only date available between the official deadline for submission of objections (Friday 13th July) and the first day of the proposed event (Tuesday 17th July).
- 2.3 Letters of objection/representation have been received from Advocates for Animals and from The Captive Animals Protection Society, both raising issues of Animal Welfare, Public Safety, Environmental Impact and Public Nuisance. Both parties also make particular reference to the use of a 54 year old elephant.
- 2.4 A further 12 letters of objection/representation in a largely standard format have been received from individual members of the public who raise similar issues.
- 2.5 Copies of the abovementioned letters are attached at Appendix 1 to this report.
- 2.6 At the time of preparation of this report there are still some 3 days of the statutory 21-day period left in which objections/representations can be submitted and any further letters will be circulated at the meeting.

3. DISCUSSION

- 3.1 In accordance with Paragraph 4(1) of Schedule 1 to the Act, copies of the letter of objection and accompanying correspondence have been forwarded to the applicant and he has been given the opportunity to notify the Panel, in writing, of his views on the contents of the letters.
- 3.2 Any written response received from the applicant will be circulated at the meeting.
- 3.3 In view of the constrained timescale for determination of this application, which rests entirely with the applicant, it has been made explicitly clear to the applicant that the Licensing Panel will determine the application on its merits only, as they are legally obliged to do, and without regard to the potential consequences for the applicant if the application should be refused. Accordingly, although the circus will have arrived and probably commenced set up by the time the Panel meets to determine the application, they will do so entirely at their own risk and will require to bear any and all costs and losses which may flow from a decision to refuse this application, if that should be the Panel's determination.
- 3.4 Having regard to all relevant matters, including the terms of the objections received to date, it has also been agreed in consultation with the Chair that there will not be a formal hearing in accordance with Para 4(2) of Schedule 1 to the Civic Government (Scotland) Act 1982 (Para 5.3 of this report below also refers).

4. FINANCIAL IMPLICATIONS

- 4.1 Nil.

5 LEGAL IMPLICATIONS

- 5.1 In terms of Paragraph 3(4) of Schedule 1 to the Civic Government (Scotland) Act 1982, copies of any relevant objections/representations have been forwarded to the applicant.
- 5.2 In terms of Paragraph 4(1) of Schedule 1 to the Civic Government (Scotland) Act 1982, a licensing authority may, in considering an application for the grant or renewal of a licence, make such reasonable enquiries as they think fit and include the results of their enquiries in matters they take into account. In accordance with this Paragraph, the applicant has been given the opportunity to notify the licensing authority, in writing, of his views.
- 5.3 In terms of Paragraph 4(2) of Schedule 1 to the Act, a Licensing Authority may, before reaching a final decision on an application, give the applicant and any person who has made a relevant objection or representation, an opportunity to be heard, but are not obliged to do so.
- 5.4 A copy of this report has been forwarded to the applicant.

6. POLICY IMPLICATIONS

- 6.1 In terms of the Community Plan, the Council are committed to the principles of eliminating public nuisance and ensuring public order and public safety in respect of any persons, premises or vehicles licensed by them in terms of the Civic Government (Scotland) Act 1982 or any other pertinent legislation

7. CONCLUSIONS

- 7.1 An application has been received from Robert Roberts, PO Box 12, Oundle, Peterborough, (T/A Bobby Roberts Super Circus) in respect of a Circus to be held in the Scott Ellis Playing Fields, Kilmarnock during the period 17 to 22 July 2007.
- 7.2 14 letters of objection/representation have been received in respect of the application, details of which are contained in Appendix 1 to this report
- 7.3 Any further letters of objection/representation received before the close of business on Friday 13 July 2007 will be circulated at the meeting.

8. RECOMMENDATIONS

- 8.1 It is recommended that the Licensing Panel consider and determine this application.

Elizabeth Morton
Executive Director of Corporate Support

EM/GHS

11/07/07

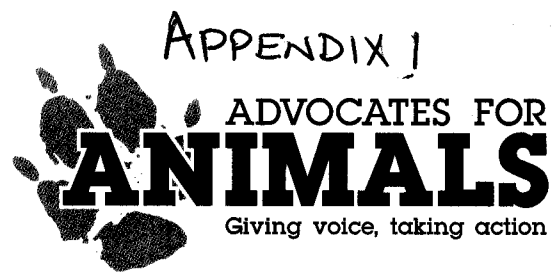
LIST OF BACKGROUND PAPERS

1. Application form received on 24 April 2007 originally requesting a licence for the period 12 to 17 June 2007 but subsequently amended.

Any person wishing to inspect any of the background papers listed above should telephone 01563 576061 and ask for Mr David Mitchell, Head of Legal, Procurement and Regulatory Services or e-mail on david.mitchell@east-ayrshire.gov.uk

RECEIVED

- 4 JUL 2007



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Edinburgh EH2 4PG
United Kingdom

T. +44 (0) 131 225 6039
F. +44 (0) 131 220 6377

E. info@advocatesforanimals.org
W. www.advocatesforanimals.org

East Ayrshire Council
per Elizabeth Morton
Executive Director of Corporate Support
Civic Government Licensing
14 London Road
Kilmarnock
Ayrshire

28 June 2007

Dear Ms Morton

APPLICATION FOR PUBLIC ENTERTAINMENT LICENCE – BOBBY ROBERTS CIRCUS

I note from the Kilmarnock Standard of 21 June 2007 that Bobby Roberts Circus has applied for a public entertainment licence to stage a circus in Kilmarnock between the dates of 17 and 22 July 2007.

I wish to object to the application on several grounds.

1. Animal welfare

Bobby Roberts Circus features animals including performing horses and dogs. The circus also tours with a 54-year old elephant, Anne, who suffers from arthritis and should not, in our view, be subjected to arduous travel, inadequate temporary accommodation, and public display.

You may be aware that the Scottish Executive has proposed to legislate later this year with a view to prohibiting the use of some wild animals in circuses. Advocates for Animals believes that the use of all animals in circuses compromises the welfare of the animals involved, and that as a result the circus regime contravenes Section 24 of the Animal Health and Welfare (Scotland) Act 2006.

Section 24(1) of the Act states that a person commits an offence if the person does not take such steps as are reasonable in the circumstances to ensure that the needs of an animal for which the person is responsible are met to the extent required by good practice. These needs include: a suitable environment; the ability to exhibit normal behaviour patterns; to be housed with (or apart from) other animals; and to be protected from suffering, injury and disease.

In the view of Advocates for Animals, it is impossible for a travelling circus to comply with these requirements. Indeed there is now significant evidence to suggest that the distress and suffering of animals is inherent in travelling circuses.

While it may be difficult for a local authority animal health officer to satisfy himself/herself that the welfare of the animals is ensured to the extent required by the legislation, we hope that evidence of compliance with Section 24(1) will be sought by the council, if it should decide to grant a licence. We request also that officials satisfy themselves that the transport of all the animals complies fully with the Welfare of Animals (Transport) (Scotland) Regulations 2006 and Council Regulation (EC) No 1/2005 on the protection of animals during transport and related operations.

2. Public safety

In December 2003, when Bobby Roberts Circus visited South Ayrshire, Anne the elephant escaped from the circus and could not be recaptured until she stopped of her own accord. Council officials from South Ayrshire later made the following comments in their response to the proposals for the Animal Health and Welfare (Scotland) Bill:

“We recently had problems with an elephant which escaped from a circus and found that the solution to ensuring the animal stayed within the confines of the circus was okay in the short term but we are sure would result in stress for the animal in the long term.”

Earlier in 2003 it was reported that a member of the public in North Wales had been knocked down by the elephant.

It cannot be guaranteed that an animal will not escape in future.

3. Environmental impact

In addition to the potential damage that may be caused by the installation of tents and vehicles, we would ask the licensing board to consider the impact of animal urine and faeces and the difficulty of cleaning this up. Environmental impact is particularly relevant in view of the fact that the Scott Ellis Athletics Track is to be used as a venue for the Council's Star:track Athletics programme for 5-18 year-olds, starting on 23 July - the day after the proposed circus visit.

4. Public nuisance

Local residents are likely to be disturbed by noise and the presence of crowds and vehicles.

Many local authorities have taken the positive decision to review their policy on the letting of council owned sites to circuses, and resolved to refuse permission for animal circuses to take place on their land.

I hope that you will take my objection into account and decide against granting a licence to this circus.

Yours sincerely

Libby Anderson

Libby Anderson
Political Director

RECEIVED

2 July 2007

- 4 JUL 2007

East Ayrshire Council
Civic Government Licensing
14 London Road
KILMARNOCK

Fao: Ms Elizabeth Morton
Executive Director of Corporate Support

Dear Ms Morton

Application for Public Entertainment Licence on behalf of Bobby Roberts Circus

I write with regard to the above application, and hope to persuade the Council not to grant a licence.

This circus is one of the very few remaining that use live animal acts; indeed, it is the only British circus with an elephant. Annie is now 54 years of age and has been with the circus since she was 4 years old. She is chained throughout each day except for the short periods when she appears in the ring. Annie suffers from arthritis, and yet is forced to entertain the public with mindless tricks.

In December 2001 whilst the circus was at Ayr, Annie was frightened by a motor cyclist and charged down a street. Fortunately she was caught before any harm was done. This incident alone underlines why wild animals should not be used as performing troupers, on grounds of public safety.

The public is very aware of the plight of wild animals caused by exploitation for their fur, spurious medicinal uses, as trophies, and lack of food and water due to their ever-diminishing habitats caused by logging, mining etc. We know they are intelligent creatures that live in family units as we do, and yet we demean them as unwilling performers in circuses. And we demean ourselves for allowing their plight to continue.

We no longer live in Victorian times when performing animals were gawped at purely for our entertainment. Human artistes choose to perform; the animals have no choice.

I hope the Licensing Committee will see fit to refuse an application for this circus.

Yours sincerely



Agnes Hall

East Ayrshire Council
per Elizabeth Morton
Executive Director of Corporate Support
Civic Government Licensing
14 London Road
Kilmarnock
Ayrshire

RECEIVED

- 4 JUL 2007

June 2007

Dear Ms Morton

APPLICATION FOR PUBLIC ENTERTAINMENT LICENCE – BOBBY ROBERTS CIRCUS

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I wish to object to the application. My reason for objecting is that Bobby Roberts Circus uses acts featuring animals including performing horses and dogs. The circus also makes a practice of touring with a 54-year old elephant Anne who suffers from arthritis.

I do not think that it is in the public interest to encourage a touring circus to bring animals to this area. In my view, the constant travelling, training and confinement of circus animals adds up to poor animal welfare and this would be contrary to the aim of Scotland's legislation to protect animals. Ideally, I would like to see the council adopt a policy of refusing licences to animal circuses.

I am concerned also about the possibility of animals escaping, as has happened in the past. This creates problems of public safety and animal welfare.

The installation of tents and vehicles is likely to cause environmental damage and the use of a playing field to accommodate animals for several days is not appropriate. There is also the possibility of noise nuisance.

I hope you will consider my objection and refuse a licence to the circus.

Yours sincerely

Mary Carson (Mrs)

Mosco State Circus is the best in the world - wonderful trapezes, knife throwers, fire eaters, clowns etc and not one performing animal in sight. That is the way a circus should be. The old arthritis elephant was offered a retirement home in a safari park, but the Roberts family refused to give her up. That shows what kind of people they are. I don't believe the horses and dogs were trained with kindness. Please help the animals and refuse a licence to the circus. Thank you.

RECEIVED

- 5 JUL 20

East Ayrshire Council
per Elizabeth Morton
Executive Director of Corporate Support
Civic Government Licensing
14 London Road
Kilmarnock
Ayrshire

2.7.07

June 2007

Dear Ms Morton

APPLICATION FOR PUBLIC ENTERTAINMENT LICENCE – BOBBY ROBERTS CIRCUS

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I hope you will consider my objection and refuse a licence to the circus.

Yours sincerely

J. McWhirter

East Ayrshire Council
per Elizabeth Morton
Executive Director of Corporate Support
Civic Government Licensing
14 London Road
Kilmarnock
Ayrshire

RECEIVED
- 5 JUL 2007

June 2007

Dear Ms Morton

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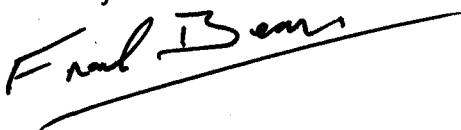
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I am concerned also about the possibility of animals escaping, as has happened in the past. This creates problems of public safety and animal welfare.

The installation of tents and vehicles is likely to cause environmental damage and the use of a playing field to accommodate animals for several days is not appropriate. There is also the possibility of noise nuisance.

I hope you will consider my objection and refuse a licence to the circus.

Yours sincerely


Frank Bevan

RECEIVED

- 4 JUL 2007

East Ayrshire Council
fao Elizabeth Morton
Executive Director of Corporate Support
Civic Government Licensing
14 London Road
KILMARNOCK
East Ayrshire
KA3 7BU

3 July 2007

Dear Ms Morton

Bobby Roberts' Circus

I understand that Bobby Roberts' Circus has applied for a public entertainment licence to stage a circus in Kilmarnock between the dates of 17 and 22 July 2007.

I wish to register my objection to the application.

I am objecting on the grounds that the Bobby Roberts' Circus has acts featuring animals including performing horses. The circus also makes a practice of touring with a 54 year old elephant (called Anne) who has difficulty walking and is believed by vets to be suffering from arthritis. This elephant used to have two companion elephants but has been without the company of her own kind for some years now. Offers have been made to house the creature in an elephant sanctuary but the Bobby Roberts' Circus has refused to let her go. It is disgraceful that an animal of such an age and infirmity is constantly made to tour the country and when on site is housed in very inadequate surroundings, tethered by the leg.

In my opinion it is not in the public interest to encourage a touring circus to bring animals to Kilmarnock. Constant travelling, training and confinement in very far from ideal conditions of circus animals is poor animal welfare and is contrary to the aim of Scotland's legislation to protect animals.

To grant Bobby Roberts' Circus' application would be a retrograde step and I hope you will consider my objection and refuse a licence to the circus on this and all future occasions.

Thank you for your consideration of my letter.

Yours sincerely

Ailsa McKillop

Ailsa McKillop (Miss)

50th

ANNIVERSARY

1957 - 2007



RECEIVED

- 9 JUL 2007

The Captive Animals' Protection Society, PO Box 4186, Manchester M60 3ZA, UK

Tel/Fax: 0845 330 3911

E-mail: info@captiveanimals.org

Web: www.captiveanimals.org

**Elizabeth Morton
East Ayrshire Council
Executive Director of Corporate Support
Civic Government Licensing
14 London Road
Kilmarnock
Ayrshire**

5 July 2007

Dear Ms Morton

APPLICATION FOR PUBLIC ENTERTAINMENT LICENCE – BOBBY ROBERTS CIRCUS

I note from the Kilmarnock Standard of 21 June 2007 that Bobby Roberts Circus has applied for a public entertainment licence to stage a circus in Kilmarnock between 17 and 22 July 2007.

The Captive Animals' Protection Society (CAPS) registers our objection to the application on several grounds.

1. Animal welfare

This circus is just one of eight in the UK to still use animals, including horses and dogs. It also has a camel who, during recent CAPS investigations of the circus, has not been used in performances but has only been seen inside the stabling tent. The circus is also the last to have an elephant, a 54-year-old Asian elephant named Anne.

Anne is elderly, does not have the company of other elephants (despite elephants being one of the most social species on Earth) and has arthritis. The circus tours the UK for around ten months each year, usually moving venue each week.

It is the view of CAPS, and vets and animal behaviourists we have consulted, that constant transportation and inadequate temporary housing can have adverse impacts on the welfare of animals. We are obviously particularly concerned for the welfare of an arthritic animal under these conditions.

Continued...

Patrons

Prof Marc Bekoff

Mike Hancock MP

Britta Jaschinski

Prof Randy Malamud

Dr Edgar Mann

Fiona Oakes

Brian Sewell

Angela Smith MP

Peter Tatchell

Scientific Advisors

Samantha Lindley
BVSc, MRCVS

Dr Roger Mugford
BSc, PhD

David Spratt
FLS(Lond), FIBMS,
BSc(Zool), MIHM

The very nature of a travelling circus leads CAPS, and our consultants, to believe that all of the needs of animals cannot be met under these conditions. As such, this could be a breach of the Animal Health and Welfare (Scotland) Act 2006 as well as legislation regarding the transportation of animals and whether they are 'fit to travel'.

CAPS, along with organisations such as Advocates for Animals and the RSPCA, believe that the use of all animals in circuses should be prohibited. We have lobbied for such a prohibition to be included under new animal welfare legislation both in Scotland and England and Wales. The massive decline in the use of animals in circuses over the past 15 years is a sign that the public generally prefer to see circuses without animals. While only 8 circuses now still have animals, around 30 tour very successfully with entirely human acts.

2. Public safety

The safety of visitors to animal circuses is an issue of great concern, particularly given the large number of accidents that happen worldwide, as well as incidents in the UK.

Anne, the elephant at Bobby Roberts Circus escaped while the circus was in South Ayrshire in December 2003. She was only caught when she stopped in someone's garden.

Just three months prior to this, a member of the public in North Wales was allegedly knocked down by the elephant while visiting the circus with her grandchildren.

I have enclosed two news articles regarding the above incidents (Annexes A and B).

We are concerned that the circus uses the elephant in close contact with the public. She is taken into the circus ring during the interval in each show and the public pay £4 to have their photo taken alongside her. The vast majority are young children and they stand next to, or touching, the elephant who is not contained behind safety barriers. On visits to the circus over the past two years in particular, CAPS investigators have noted that the elephant appears to have difficulty putting weight on her arthritic rear leg. This adds to our concern about the risk of allowing the elephant to have close contact with the public.

3. Environmental impact

Heavy vehicles, tents for performances and animal housing, staff and public walking around and the animals themselves will all create potential damage to the site that the circus intends to use. Attached are images of sites used previously by this circus, showing the damage that was left by the circus (Annex C). Also enclosed is a newspaper article showing damage left to council land in Rochdale and complaints that resulted (Annex D).

The Licensing Board should also consider what health risks remain from animal faeces and urine on the land. As the enclosed photos show, animal bedding / feed may remain on the site after the circus has left. We understand that the site the circus has applied to use is due to be used for a sports event the following day.

Continued ...

4. Public nuisance

Lorries, generators, staff, public, noise of the performance itself – these are all things which are likely to create a lot of noise and disturbance for local residents. It is therefore not surprising that visits by circuses close to residential properties result in complaints to councils, particularly in relation to evening performances and when circus vehicles are used late at night or the whole circus is setting up or pulling down at unsociable hours.

These are some of the many reasons why around 200 local authorities across the UK have already made the decision to refuse permission to allow animal circuses to use council-owned or managed land.

We request that the Licensing Board take our comments into account and refuse a licence for this circus.

Yours sincerely



Craig Redmond
Campaigns Manager

cc CAPS

RAMPAGING ELEPHANT PROMPTS QUESTIONS OVER CIRCUS SAFETY

By **Graham Martin**

THE use of live animals in circuses has come under renewed fire after an elephant escaped and went on the rampage in a Scottish seaside town.

There was mayhem when, just before Christmas, a four tonne Indian elephant called Ann bolted from the ring at Bobby Roberts' travelling circus situated in Ayr racecourse and ran through nearby streets.

The animal was chased by circus staff, including the ring master and a group of clowns, before it was cornered and pacified by its trainer.

The Captive Animals' Protection Society (CAPS) said that this occurrence serves to highlight the dangers of using wild animals in public performances.

CAPS also said that it had warned South Ayrshire Council in September not to allow the show to go ahead, pointing out that the animal had allegedly injured a grandmother at another show last September.

The circus said that Ann bolted after she was startled by an animal rights activist who drove by her on a motorcycle. However, CAPS said circus bosses have yet to produce any evidence to back up this claim.

A CAPS spokesman said that this isn't the first time that an elephant performing with the Bobby Roberts Circus has gone out of control – in December 1990, Bobby Roberts himself was injured when one of the massive animals escaped from its handlers in Liverpool and embarked on a four

hour rampage, scattering motorists and pedestrians.

CAPS spokesman Craig Redmond said: "Serious action needs to be taken against the circus for losing control of an animal who could so easily kill a person. Despite our warning to the council three weeks ago they allowed the circus to continue using the elephant in close contact with people, including young children.

"Will it take someone to be killed before councils wake up to the responsibility of public safety?"

Animals do not belong in the circus. We encourage the public to boycott all circuses using animals – for their own welfare as well as that of the animals."

Bobby Roberts Circus ends its run in Ayr in the middle of January. g.martin@bigissuescotland.com

NEWS IN BRIEF

■ MSPs are determined to push a bill aimed at making it easier for nursing mothers to breastfeed through the Scottish Parliament.

The proposed legislation will place a responsibility on the owner of premises to make it possible for mothers to feed children as they see fit by making it an offence to prevent a child from being breastfed.

Its backers claim that the bill challenges decades of sexism in Scottish society by recognising the right of women to feed children as and how they see fit, when they see fit, where they see fit.

The bill also encourages breastfeeding as an effective way of ensuring the health of future generations by requiring the Scottish Executive to make arrangements for supporting and encouraging breastfeeding and giving ministers the power to disseminate information.

DEPORTED ASYLUM SEEKERS

■ A luxury homes developer has been praised for providing a "tremendous boost" to home-

Spectator knocked to ground in front of gran Gran floored by circus elephant

A SHOTTON grandmother feared both she and her grandchildren were about to be trampled to death by a three-tonne circus elephant after it sent her sprawling with a blow from its trunk.

Terrified Irene Booth, 60, of Plough Lane, took her three grandchildren and a friend to last Sunday afternoon's performance of the Bobby Roberts Super Circus in Queensferry.

This week the circus at the centre of the incident had set up base near Chester, on the Old Wrexham Road, Pulford, with performances scheduled until the weekend.

And circus owner Bobby Roberts has promised to discover what happened at Queensferry to ensure it doesn't occur again.

At the end of the show, Irene Booth took her grandchildren to see the circus' female Asian elephant Anne, which was in a field adjacent to the big top. It was there, as she tried to pat the elephant, the animal became agitated and lashed out with its trunk, leaving her suffering concussion and whiplash.

Mr Roberts claims 50-year-old Anne is so gentle he allows his two-year-old grandson to play with her, and puts the blame on Mrs Booth who he says should not have entered what he says was a restricted area.

Irene says the circus visits Queensferry every year and she always takes her grandchildren, twins Joseph and Charlotte, six, and nine-year-old Lauren along to see the show. She said: 'We really enjoy the circus and after it had finished I took the children to see the elephant in the field behind the big top.'

by KEVIN HUGHES

'I was surprised to see there was no one from the circus with it but there were lots of people stroking it. It just seemed to stand there.'

There was only a thin tape which appeared to be plastic or paper wrapped around some wooden posts. It could easily have just walked out if it had wanted to.'

She added: 'I put my hand out and patted its trunk. The next thing I knew it lashed out and sent me flying. I was sent sprawling backwards and banged my head on the ground. I was terrified it was going to come after me and the children.'

'We got away as quickly as we could and I rang my son to come and pick us up and, as soon as I got home, I went to bed. Since it happened I have suffered a really bad headache and the back of my neck and right arm are very sore.'

But Irene says she wouldn't want to see the elephant hurt in any way.

She added: 'I can't understand what the circus people are thinking about leaving an animal like that alone and unguarded. It could easily have killed a child.'

Wes Graham, deputy editor in chief of *Chronicle* Newspapers, was at the performance with his wife and two young sons. He said: 'When the show ended we headed back to our car and noticed the elephant roaming around the field.'

'I couldn't believe it - the elephant was not restrained in any way or being watched over. It was strolling around with nothing other than a bit of ribbon to stop it.'

'Children and parents were leaning over the

ribbon to pat the animal. The elephant seemed agitated. It reared its head into the side of a young boy who went flying across the grass and seconds later it butted Mrs Booth who had tried to pat it.'

He continued: 'She went crashing back on to the ground and looked to be in quite a lot of pain. There was no sign on anyone from the circus while this was going on.'

Wes says he spoke to Mrs Booth after she was knocked over: 'She was sitting on the grass and was suffering from shock and concussion.'

'I'm amazed safety was so lax bearing in mind it's not that long ago a keeper at Chester Zoo was killed by an elephant.'

Circus owner Bobby Roberts, 60, says his family has been a circus family for more than 400 years and it's all he has ever known.

He said: 'Anne is 50 now and has been with me for more than 45 years. We have never had any problem with Anne, who is very gentle. We make a square on the field for her so she can exercise and that's surrounded by an electric fence. We put warning signs up and the whole area is roped off. However, people just ignore the signs.'

Mr Roberts continued: 'Anne has never ever hurt anyone. Usually we have someone with her at all times and I will be making my own enquiries as to what happened on this occasion.'

'We can only apologise to this lady, who shouldn't have been where she was, and we will keep a closer watch on Anne in the future.'

A spokesman for Flintshire County Council health and safety unit said: 'We were unaware of this incident. However, we have contacted our colleagues in Chester, where the circus is now based, and made them aware.'

Save in style

NEW

Condition of land following visits by Bobby Roberts Circus



Above: Fleetwood, Lancashire, April 2005



Above: Walsall, West Midlands, May 2006 (Note faeces left in field. This was a council-owned park and the council subsequently prohibited animal circuses from council land)

116 April 2005

ROCHDALE OBSERVER

WWW.ROCHDALEOBSERVER.CO.UK

PAGE 17

North

Contact: Bethan Dorsett
on 354321 ext 319



Common left all cut up after circus leaves town

It's welcome

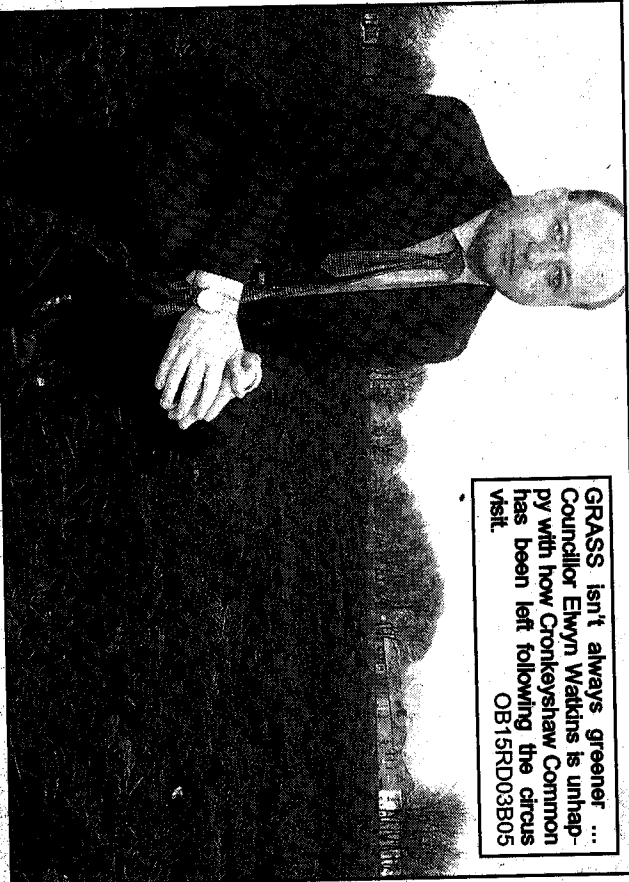
will get a me at the lk, based at Primary

which has tions with five move- ces available zed five to 11 se activities eing, wood- s and crafts. looking for rs, although s subject to

Folk meet day at the ane school nformation log on to ofg.uk. tion

ners are tep-by-step Brotherod can create and calen- attend ses- id by the ts' and rest- ciation. The held Mondays s and Fridays al, fold, from nd 1-3pm. n costs 50p.

GRASS isn't always greener ...
Councillor Elywn Watkins is unhappy with how Cronkeyshaw Common has been left following the circus visit.
OB15RD03B05



THE circus brought joy to hundreds, but it also left a trail of damage described by a councillor as something akin to the 'Battle of Waterloo.'

Angry residents contacted Councillor Elywn Watkins after Bobby Roberts' Circus ended its stay at Cronkeyshaw Common, leaving yards of churned-up soil.

Council officers have been busy clearing up the mess, but Councillor Watkins fears damage caused by lorries driving on damp grass could take months to repair.

He said: "The circus was only here for a week but it looked like the Battle of Waterloo when it left. "Should we be having articulated lorries driving over the common?"

"It might be more suitable to ask circuses without animals, so they have fewer vehicles, to use the Grace Fields Theatre.

"After all, shows like the Cirque Du Soleil seem to be more popular these days."

Concerned resident Irene Shelley of Bench Carr Drive, also wants the council to look at other options for the circus.

She said: "They left a terrible mess, churning up all the grass. "Perhaps they could use a created area instead to pitch their caravans."

But parks and events manager Chris Flintoff says only three large events are held on the common every year.

The circus had tidied the site before leaving, but had encountered problems due to the wet ground. Mr Flintoff said: "Immediately following the circus leaving the site, council staff carried out some repair work on the common.

"We will carry out further works when the ground is drier. "The council does receive a book- ing fee for the use of its land from circuses and fun fairs, which con- tributes to the running costs.

"The council also allows circuses on Bowlee Playing Fields in Middleton and, on occasion, circuses do operate on private land in the bor- ough."

RECEIVED

- 9 JUL 2007

5th July 2007

Dear Ms. Morton

Public Entertainment Licence

Bobby Roberts Circus

I am distressed and saddened to read that
Kilmarnock Council could consider allowing
a touring circus which exploits dumb animals
to stage a show in their town.

I feel that we are all "enlightened"
enough to know that circus acts are not
natural to animals. Animals can be kindly
trained to do tricks - but touring animals
are not allowed to lead a normal healthy
life style.

I should be happy if you would consider
the refusal to allow any future circus or
circus-type performances in Ayrshire.

I thank you.

Yours sincerely

to: East Ayrshire Council
Kilmarnock

Janquet Dobie [Mr]

RECEIVED

- 9 JUL 2007

6th July 2007.

Appn for Public Entertainment Licence - Bobby
Roberts' Circus.

Dear Ms. Manton,

I wish to oppose the above-named
circus' application for a licence to stage an
entertainment from 17th to 22nd July in Kilmarnock.

I had thought all travelling shows
with animals had been banned - wrongly as it
turns out. I am sure the circus folk treat the
animals well, but the constant touring and
confinement is not conducive to their welfare.

I hope you will refuse a licence.

Yours sincerely

Jacqueline Rendell.

*From An Ayrshire Animal
Lover*

East Ayrshire Council
per Elizabeth Morton
Executive Director of Corporate Support
Civic Government Licensing
14 London Road
Kilmarnock
Ayrshire

RECEIVED

- 9 JUL 2007

June 2007

Dear Ms Morton

**APPLICATION FOR PUBLIC ENTERTAINMENT LICENCE – BOBBY
ROBERTS CIRCUS**

I note from the Kilmarnock Standard of 21 June 2007) that Bobby Roberts' Circus has applied for a public entertainment licence to stage a circus in Kilmarnock between the dates of 17 and 22 July 2007.

I wish to object to the application. My reason for objecting is that Bobby Roberts Circus uses acts featuring animals including performing horses and dogs. The circus also makes a practice of touring with a 54-year old elephant Anne who suffers from arthritis.

I do not think that it is in the public interest to encourage a touring circus to bring animals to this area. In my view, the constant travelling, training and confinement of circus animals adds up to poor animal welfare and this would be contrary to the aim of Scotland's legislation to protect animals. Ideally, I would like to see the council adopt a policy of refusing licences to animal circuses.

I am concerned also about the possibility of animals escaping, as has happened in the past. This creates problems of public safety and animal welfare.

The installation of tents and vehicles is likely to cause environmental damage and the use of a playing field to accommodate animals for several days is not appropriate. There is also the possibility of noise nuisance.

I hope you will consider my objection and refuse a licence to the circus.

Yours sincerely

Anonymous Animal Lover

East Ayrshire Council
per Elizabeth Morton
Executive Director of Corporate Support
Civic Government Licensing
14 London Road
Kilmarnock
Ayrshire

RECEIVED
- 9 JUL 2007

June 2007

Dear Ms Morton

APPLICATION FOR PUBLIC ENTERTAINMENT LICENCE – BOBBY ROBERTS CIRCUS

I note from the Kilmarnock Standard of 21 June 2007) that Bobby Roberts' Circus has applied for a public entertainment licence to stage a circus in Kilmarnock between the dates of 17 and 22 July 2007.

I wish to object to the application. My reason for objecting is that Bobby Roberts Circus uses acts featuring animals including performing horses and dogs. The circus also makes a practice of touring with a 54-year old elephant Anne who suffers from arthritis.

I do not think that it is in the public interest to encourage a touring circus to bring animals to this area. In my view, the constant travelling, training and confinement of circus animals adds up to poor animal welfare and this would be contrary to the aim of Scotland's legislation to protect animals. Ideally, I would like to see the council adopt a policy of refusing licences to animal circuses.

I am concerned also about the possibility of animals escaping, as has happened in the past. This creates problems of public safety and animal welfare.

The installation of tents and vehicles is likely to cause environmental damage and the use of a playing field to accommodate animals for several days is not appropriate. There is also the possibility of noise nuisance.

I hope you will consider my objection and refuse a licence to the circus.

Yours sincerely



CONCERNING MS MORTON
EXECUTIVE DIR OF CORPORATE SUPPORT
CIVIC GOVERNMENT LICENSING
14 LONDON RD
KIR.

FROM:

RECEIVED

- 9 JUL 2007

4.7.07.

Dear Ms MORTON,

This letter is concerning the application for a licence for Public entertainment by BOBBY ROBERTS CIRCUS, from the dates 17-22 JULY 2007 in Kilmarnock.

I object to the application: The reasons I object to a licence being given are many. The use of performing animals such as dogs, horses and even a 54 year old elephant called ANNE is a disgrace. These animals have no room to roam and in the old elephants consideration no social interaction with other elephants. The elephant has arthritis and must suffer greatly. The constant moving of the circus, the confinement continuously, the poor animal welfare in such an environment must affect these sentient creatures not only physically but also most certainly affect them psychologically, the truth of which would be obvious if you lived and worked with these animals on a day to day, year to year, regime.

I do hope Kilmarnock council adopt a policy to protect animals which would be in line with Scotland's progressive and humane legislation on animal welfare. I hope you refuse given a licence to circuses who use animals.

I hope you consider my objections.

Please do not show my name or address to the circus owners for obvious reasons.

Yours sincerely
James Mitchell.

RECEIVED

10 JUL 2007

6th July 2007

East Ayrshire Council
Per Elizabeth Morton
Executive Director of Corporate Support
Civic Government Licensing
14 London Road
Kilmarnock
Ayrshire
KA3 7AF

Dear Ms Morton

APPLICATION FOR PUBLIC ENTERTAINMENT LICENCE – BOBBY ROBERTS' CIRCUS

I note from the Kilmarnock Standard of 21st June 2007, that Bobby Roberts' Circus has applied for a public entertainment licence to stage a circus in Kilmarnock between the dates of 17th and 22nd July 2007.

I wish to object to the application for the following reasons. Bobby Roberts' Circus uses acts featuring animals including performing horses and dogs. The circus also makes a practice of touring with a 54-year old elephant which suffers from arthritis.

I do not think it is in the public interest to encourage a touring circus to bring animals to this area. In my view, the constant travelling, training and confinement of the animals concerned involves poor animal welfare and this would be contrary to the aim of Scotland's legislation to protect animals. Ideally, I would like to see the council adopt a policy of refusing licences to animal circuses.

I am also concerned about the possibility of animals escaping, which has happened in the past, and which creates issues of public safety and animal welfare.

The installation of tents and vehicles is likely to cause environmental damage and the use of a playing field to accommodate animals for several days is not appropriate.

I hope you will consider my objection and refuse a licence to the circus.

Yours sincerely

Susan S. Johnstone

Susan S Johnstone

RECEIVED

10 JUL 2007

9 July 2007

East Ayrshire Council
FAO Elizabeth Morton
Executive Director of Corporate Support
Civic Government Licensing
14 London Road
Kilmarnock
East Ayrshire

Dear Ms Morton

APPLICATION FOR PUBLIC ENTERTAINMENT LICENCE: BOBBY ROBERTS' CIRCUS

I subscribe to the animal welfare charity Advocates for Animals and have recently been informed by them that Bobby Roberts' Circus has applied for a public entertainment licence to stage a circus in Kilmarnock between 17th and 22nd July.

I would like East Ayrshire Council to note my strong objection to this application, on the grounds that Bobby Roberts' Circus uses acts featuring animals, including performing horses, dogs and an elderly and infirm female elephant.

I believe that the use of animals in circus acts is both unethical and cruel. The constant travelling, training and confinement of circus animals leads to poor animal welfare and is contrary to the aim of Scottish legislation to protect animals. I would like to see East Ayrshire Council adopt a policy of refusing licences to animal circuses. I have also noted that, in the past, animals have escaped from such circuses, which creates problems both of public safety and animal welfare.

The installation of tents and vehicles is also likely to cause environmental damage and the use of a playing field to accommodate animals for several days is not appropriate. There is also the potential problem of noise nuisance.

I hope you will note and consider my objection and refuse a licence to the circus.

I am aware that my letter may be shown to representatives from the circus, and I would therefore ask that my name and address be withheld.

Yours Faithfully



Mrs Morven G Campbell