

EAST AYRSHIRE COUNCIL

LOCAL GOVERNMENT LICENSING PANEL 15 MARCH 2007

CONSIDERATION OF EXTENDING LICENSING RESOLUTION

Report by the Executive Director of Neighbourhood Services

1. PURPOSE OF REPORT

- 1.1 To advise the Licensing Panel of a perceived anomaly in terms of requiring the issue of a Public Entertainment Licence in respect of agricultural or similar shows, and to consider possible remedial action.

2. BACKGROUND

- 2.1 Since the inception of East Ayrshire Council, 'fetes, with marquees', where the public are charged for admission, are required to have a Public Entertainment Licence. The statutory consultees for such a licence include Strathclyde Fire and Rescue Service, Planning and Building Control Section and Environmental Health Section.
- 2.2 As a consequence, all tents, platforms and other structures are subject to inspection which includes production and examination of appropriate certificates relevant to the use of such equipment.
- 2.3 At the current time, agricultural shows are not included in the Resolution relating to Public Entertainment determined on 12 May 1997, in terms of the Civic Government (Scotland) Act 1982. As a consequence, there are no inspections whatsoever carried out to determine that it is safe for the general public to attend the event.
- 2.4 It is also worth noting that in addition to agricultural shows, there are many local fetes and galas held each year throughout the Council area which traditionally have never been the subject of a Public Entertainment Licence.

3. DISCUSSION

- 3.1 It is considered appropriate, to ensure public safety, that the Resolution should now be extended to include agricultural type shows. It is suggested that this should include horse show jumping and related events.

- 3.2 By so doing, the statutory consultees will be in a position to ensure that the proposed event and any associated structures meet with current requirements in terms of fire safety, building control, general health and safety and environmental health.
- 3.3 It will also ensure that any such show has appropriate levels of public liability insurance.
- 3.4 The arrangement would also give the Council a degree of comfort if anyone was injured at an event of this nature.
- 3.5 Amendment of the existing Resolution will generate a requirement for additional resources from the statutory consultees. Both Strathclyde Police and Strathclyde Fire and Rescue have been advised of this proposal and have no difficulties with it.

As far as Building Control and Environmental Health Services are concerned, it is recognised that there will be a requirement for additional weekend working but this cannot be properly quantified until the first cycle of events have been monitored (it is thought that some of the smaller events might only require a cursory inspection on the day with the option of these two services sharing the workload).

- 3.6 It is understood that if the Resolution is amended as proposed, approximately 20 such shows would require to be licensed each year.

This number is based on a suggested definition of an Agricultural Show as “a public event showcasing the equipment, animals, sport and recreation associated with the occupations of agriculture and animal husbandry and to include horse jumping shows”.

4. FINANCIAL IMPLICATIONS

- 4.1 The current fee for a Public Entertainment Licence is £205.
- 4.2 The proposal to vary the Resolution must be advertised in the local press to enable objections and/or representations. Following ratification of the proposal, there must be further notice made advising of this. Current advertising rates are in the region of £550 per paper.
- 4.3 There will be financial considerations for the organisers in terms of insurance and advertising.

5. LEGAL IMPLICATIONS

5.1 Section 9 of the Civic Government (Scotland) Act 1982 defines the procedure for varying Resolutions.

6. POLICY IMPLICATIONS

6.1 Nil.

7. CONCLUSIONS

7.1 The fact that agricultural and related shows are not included in the Resolution for Public Entertainment could result in the Council being exposed to any number of risks or criticisms in the event of an incident occurring and involving personal injury to any member of the public.

7.2 The inclusion of such shows in the Resolution will generally improve standards of health and safety at these events.

8. RECOMMENDATIONS

8.1 The Licensing Panel is invited to:-

- (i) endorse the proposal to vary the Resolution relating to Public Entertainment to include the licensing of agricultural and related shows;
- (ii) remit to the Head of Legal and Administrative Services to make the necessary arrangements;
- (iii) otherwise note the content of the report.

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WS/DJ

14th February 2007

LIST OF BACKGROUND PAPERS

Nil

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