

## REPORT TO GARIOCH AREA COMMITTEE – 21 JUNE 2016

### **CIVIC GOVERNMENT (SCOTLAND) ACT 1982 APPLICATION FOR GRANT OF TEMPORARY PUBLIC ENTERTAINMENT LICENCE – REQUEST FOR EXTENSION OF OPERATING HOURS FROM HENRY EVANS FOR FUNFAIR AT ECHT SHOW GROUND**

#### **1 Recommendations**

- 1.1 **It is recommended that the extension of the hours of operation of the funfair be granted as sought.**

#### **2 Background/Discussion**

##### **Council's Operation Policy for Fairgrounds and Circuses**

- 2.1 Aberdeenshire Council's agreed policy in respect of Circuses and Fairgrounds, sets out standard operating hours of –

1400 hrs – 2100hrs (Monday – Thursday);  
1400 hrs – 2200hrs (Friday-Saturday); and  
1400 hrs – 1700 hrs (Sunday).

- 2.2 Any requests for operating hours outwith the policy must be agreed in advance by the relevant Area Committee.

##### **Request for Additional Operating Hours**

- 2.3 Henry Evans, of 2 Showmans Winter Quarters, Blenheim Lane, Bulwell, Nottingham NG6 8UR, submitted an application for the grant of a temporary public entertainment licence relating to the operation of a funfair at Echt Show Ground, Echt, Aberdeen. The applicant wishes to operate as follows:

Friday, 8 July 2016: 18:00 – 23:30 hours  
Saturday, 9 July 2016: 10:00 - 00:00 hours

- 2.4 Any extension to operating hours granted does not absolve the operator from operating within the terms of their licence, including meeting any noise limits or other conditions which might be imposed.

##### **Consultations**

- 2.5 At the time of writing this Report, Police Scotland, Building Standards and Outdoor Services have confirmed that they have no objections in respect of the application. To date, no adverse observations have been received from Scottish Fire & Rescue Service and it is not anticipated that any will be lodged.

## **Procedure**

- 2.6 At the same time as processing an application for a temporary public entertainment licence, officers have put this Report to the relevant Area Committee for consideration.
- 2.7 Most Area Committees now deal with such requests by means of a copy of the report being circulated to the Area Chair and the Ward Members for the ward in which the funfair is to operate. This is done by means of e-mail. Responses are submitted to Officers by e-mail and are usually granted. The decision of the Area Chair will be final.
- 2.8 Some Area Committees prefer to deal with the Report at the next available meeting of the Committee. The decision of the Committee will be final.

## **Options for Disposal**

- 2.9 The Committee's options in disposing of the Application are:-
- (a) To grant the hours of operation as sought.
  - (b) To grant restricted hours of operation; or
  - (c) Refuse to grant the extended operating hours in which case the funfair will operate the hours outlined in Aberdeenshire Council's policy for fairgrounds and circuses.
- 2.10 When coming to a decision the Committee must consider the evidence heard and the grounds of refusal outlined at paragraph 2.9 of this Report. Supplementary advice and information can be requested, if required.
- 2.11 The Council's Head of Finance and the Monitoring Officer within Business Services have vetted this report and have no comments to make.

## **3 Equalities, Staffing and Financial Implications**

- 3.1 There are no area, policy, finance, staffing or sustainability implications directly arising from this report.
- 3.2 An Equality Impact Assessment is not needed in this case because the granting or refusing of the application will not have a differential impact on the protected characteristics of the applicant or any third parties.

## **Director of Business Services**

Report prepared by:- Elaine Neave

Date: 09 June 2016

References: J:\la\Licensing Shared\ADMIN\MEETINGS - P & R Lic Sub Com & Area\Central\Area Committees\2016\Henry Evans - Echt Show Ground