

ABERDEENSHIRE COUNCIL**BUCHAN AREA COMMITTEE****SPECIAL MEETING****VIA SKYPE – 7TH DECEMBER 2021****(ADJOURNED FROM 30TH NOVEMBER 2021)**

Present: Councillors N Smith (Chair), D Beagrie, (Vice Chair), A Allan, M Buchan, S Calder, A Fakley, A Simpson, and S Smith.

Apologies: Councillors A Buchan, J Ingram and I Sutherland.

Officers: Amanda Roe, Buchan Area Manager (Business Services); Lauren Cowie, Principal Solicitor (Business Services); Fiona Stewart, Senior Solicitor (Business Services); Linzi Fraser, Trainee Solicitor (Business Services); and Kirsty Macleod, Area Committee Officer (Environment and Infrastructure Services).

1. DECLARATIONS OF MEMBERS' INTERESTS

The Chairman asked Members if they had any interests to declare in terms of the Councillors' Code of Conduct.

Councillor Beagrie declared an interest in Item 3 by virtue of being a Feuar Manager. She advised that she would leave the meeting and take no part in the item.

2. STATEMENT ON EQUALITIES

In making decisions on the following items of business, the Committee **noted** the requirement, in terms of Section 149 of the Equality Act, 2010 –

- (1) to have due regard to the need to:-
 - (a) eliminate discrimination, harassment and victimisation;
 - (b) advance equality of opportunity between those who share a protected characteristic and persons who do not share it; and
 - (c) foster good relations between those who share a protected characteristic and persons who do not share it

- (2) where an Integrated Impact Assessment was provided, to consider its contents and take those into account when reaching their decision

3. CIVIC GOVERNMENT (SCOTLAND) ACT 1982: APPLICATION FOR GRANT OF PUBLIC ENTERTAINMENT LICENCE

A report by the Director of Business Services had been circulated seeking consideration of an application for a Public Entertainment Licence in respect of the Buchan Radio Hogmanay Bash which had attracted adverse representations and an objection.

The applicant Ronnie Arthur, accompanied by Paula Buchan, B-Secure, confirmed that they were in attendance.

It was confirmed that the following consultees were in attendance:

George Sangster, Police Scotland

Gordon Buchanan (Service Manager) and Kathryn Clarke (Environmental Health Officer), Environmental Health

Philip Leiper (Roads and Landscape Services Manager), Roads Service

Lorna Hogg (Parking Officer), Parking and Transportation

William Geals (Team Manager), Building Standards

Keith Simpson, Senior Civic Licensing Standards Officer

All parties confirmed they had received the relevant information and felt able to participate in the hearing.

The Chairman invited the applicant to speak to his application. Mr Arthur referred to the event having never been done before and work behind the scenes to put on a safe and enjoyable event for the people of Peterhead and the surrounding areas. The event could benefit the town centre and local businesses. He advised that he had been unable to make further updates to the Event Safety Plan the previous week due to a computer issue. He addressed outstanding issues raised by consultees (Appendix 13 of the papers) and commented that he accepted the Roads comments on road closures; that first aid was sufficient for the event; that measurements had been taken and they were satisfied the area could accommodate 1,500 people; that B-Secure would provide 14 licensed security and event marials in addition to the Buchan Radio volunteers and three security staff who would cover stage security; that three additional emergency exits had been added; and that corrections had been made to the Event Safety Plan in terms of child safety and counter terrorism. He concluded that he and others had worked hard to try and put the event on and make it safe and enjoyable.

The Chairman invited the consultees to speak to their representations.

The Police Scotland representative advised that the applicant had met the request for increased stewarding numbers and emergency access points, and Police Scotland were now satisfied with the provisions in place.

The Environmental Health representative noted that while supportive of the work put in and community benefits, the plans had to be assessed in terms of potential risk and the nature, time and scale of the event. Particularly as a first time event, getting the Event Management Plan right was important. Areas in the latest Plan where there was still a lack of detail were highlighted including in relation to the site plan and specific dimensions; stewarding and security numbers and deployment, with an updated SIA/stewarding plan to reflect amended plans and layouts needed; specific details of the search area and searches; detailed risk assessment and mitigations; roles and responsibilities showing a clear chain of command; communication; detailed evacuation plans; noise control; and waste management monitoring.

The representative from the Roads Service advised that the applicant had taken on board the Service's comments, and they were satisfied that all measures would be put in place to address the roads/traffic management issues.

The representative from the Parking Service advised that permission would be granted to use the car park should the licence be approved.

The Building Standards representative advised that the Service had withdrawn its representation and had no adverse comments.

The applicant was given an opportunity to address any issues raised by those who had made representations. Mr Arthur spoke further in relation to the security arrangements for the event.

Mr Arthur then responded to questions from Members on steward training on counter terrorism; noise levels and whether speakers would be directed away from residential areas; unaccompanied children; maintaining access for businesses and residents; levels of engagement with residents; admission of under 18s; and whether a dry event had been considered.

The Chairman then invited concluding remarks from all parties. The Environmental Health representative commented on the level of detail still required to give confidence that the event would be run safely and successfully. All other consultees indicated that they had no further comments. Mr Arthur commented that it was a first time event and he hoped it could go ahead.

Members then adjourned to deliberate the application in private. On resuming the bench, the Senior Solicitor advised that during the adjournment the Committee has discussed the legal test as set out in Appendix 9 of the report; the Event Safety Plan; and the matters still outstanding as advised by the representees.

Members asked Mr Arthur a further question on whether he had sought support from any voluntary organisations to develop the required documentation.

Thereafter, the Committee confirmed that they had received sufficient evidence upon which to make a decision.

The Committee **agreed** unanimously:-

- (1) to delegate authority to the Area Manager (Buchan), following consultation with the Chair of the Area Committee, to grant the licence for one year subject to the lodging of information by close of business on Tuesday 14th December that would enable the outstanding representations to be removed;
- (2) that should the deadline not be met, and outstanding representations not removed, the application would be refused on the grounds of public safety; and
- (3) that should the application be granted it would be subject to the standard conditions for events, the additional specific conditions set out in section 4.10 of the report; and an additional condition that a multi-agency debrief be held following the event.