



# PIRBRIGHT PARISH COUNCIL

Minutes of the Extraordinary Meeting of the Parish Council on 28 May 2013 in the Parish Shop at 7.30 pm.

Members present: Cllr R. Nevins (Chairman) Cllr M. Jackson  
Cllr E. Eason Cllr C. Newman  
Cllr M. Hobbs Cllr R. Richmond

In attendance: L. Graham (Clerk) and the Church Wardens

1. **Formalities**

**To Receive Members' Apologies for Absence**

Apologies for absence were received from Cllr S. Fidgett.

2. **To Receive Members' Declarations of Interest on Any Agenda Item below**

*Cllr Eason made a personal declaration of interest re Item 3.*

3. **Scarecrow Festival**

**To Consider the Parish Council's Role & Responsibilities for the Festival**

3:1 Members discussed the Parish Council's duty to uphold the licensing conditions as the premises licence-holder for the Green. Conditions for the licence had to be agreed with GBC as the Licensing Authority, in order for it to be granted for events such as the Scarecrow Festival. In response to a query, GBC's Licensing Compliance Officer warned that: *"Pirbright Parish Council, as the licence holder, would have to ensure they comply with the conditions on the licence, including condition C6 [no driving on or across the Green]. Failure to do so would be an offence under section 136 of the Licensing Act 2003, for which the penalty can be a fine up to £20,000, six months in prison, or both."*

3:2 It is possible to amend or remove conditions from the licence at a cost of £89 but removal of condition C6 would not render it legal to drive on the Green because restrictions are based in law (Road Traffic Act 1988) as clarified by PPC's solicitors. *[N.B. It was decided against removal of the condition at the meeting held on 14 May.]* Creation of a temporary car park on the Green, within 15 yards of a road, is acceptable under the law and the parish bylaws, providing the route to it is clearly marked.

3:3 It was noted that licensing and other restrictions do not apply to visits from the fair because:

- the fair is not licensable under grand-father rights
- the risk to injury to the public from moving vehicles was lower because the fair sets up in a designated area to an established pattern
- it arrives and departs on a Monday morning when there are fewer people on the Green
- there is less risk of damage to the surface of the Green because the fair owners cancel the visit if conditions are unfavourable.

***Members approved the following:***

1. *To uphold the licensing conditions and ask the Parochial Church Council to observe the terms and conditions of the hiring agreements for Lord Pirbright's Hall and Green with the measures outlined in its own risk assessments.*
2. *To ratify the decision taken at the Parish Council meeting on 14 May to identify loading areas around the Green to minimise the distances that stallholders have to carry items.*
3. *To assist with marshalling the car parks, provide notices about the restriction on sale of alcohol to minors, monitor sales of alcohol and food provision to ensure best practice is being followed.*
4. *To charge £70 for the Green licence and £200 deposit bond against any damage.*
5. *To request the PPCC to provide a contingency plan for visitor parking in case the conditions of the field in Church Lane and the Green prove unsuitable on the day.*

Signed.....

Date.....