

## The Highland Licensing Committee

Meeting – 14 May 2013

Agenda Item	6.3
Report No	HLC/026/13

### Application for the renewal of a Public Entertainment Licence – Stratherrick Public Hall, Gorthleck, Inverness-Shire (Ward 13 – Aird and Loch Ness)

#### Report by the Legal Manager

#### Summary

This Report relates to an application for the renewal of a public entertainment licence.

This item is subject to a formal hearing procedure

#### 1.0 Background

- 1.1 On 6 December 2012 an application for the renewal of a Public Entertainment Licence was received from Mrs Julie Talbot in respect of Stratherrick Public Hall Management Committee in respect of Stratherrick Public Hall, Gorthleck, Inverness-Shire
- 1.2 In terms of Section 3(1) of the abovementioned Act the application requires to be determined within 6 months i.e. 6 June 2013 otherwise the application will be granted for a period of 12 months.

#### 2.0 Process

- 2.1 Following receipt of this application a copy of the same was circulated to the following Agencies/Services for consultation:
- Police
  - Fire and Rescue Service
  - Highland Council Environmental Health Service
  - Highland Council Building Standards Service
- 2.2 The Police, Fire and Rescue Service and the Council's Building Standards have confirmed that they have no objections to the licence being issued
- 2.3 The Council's Environmental Health Service have advised that whilst they have no objections to the application an up to date electrical certificate requires to be submitted for the premises.
- 2.4 They also provided the following comments:

- The vegetation/undergrowth affecting or encroaching on exit routes requires to be removed and thereafter suitably maintained.
- There were several areas of ceiling within the hall and committee rooms which were affected by water ingress. The hall management committee are aware of the problems and are currently in the process of seeking funding to have significant roof repairs and redecoration works to the hall.

**2.5** To date no electrical certificate has been submitted.

### **3.0 Determining Issues**

**3.1** Section 5(3) of Schedule 1 of the Civic Government (Scotland) Act 1982 states that a Licensing Authority may refuse an application to grant or renew a licence where:

- The applicant or anyone else detailed on the application is not a fit and proper person
- The activity would be carried out by a person other than the applicant who, if he had made the application himself, would have been refused
- Where the application relates to a premise, vehicle or vessel That the location, character or condition of the same is not suitable
- The nature and extent of the proposed activity is not suitable
- The kind of persons likely to be in the premises are not suitable
- Where there is the possibility of undue public nuisance, public order or public safety
- Where there is other good reason

**3.2** If required the Legal Manager will offer particular advice on the criteria relating to this particular application.

### **4.0 Policies**

**4.1** The following policies are relevant to this application:

**4.2** Standard Public Entertainment licence conditions. A copy of these can accessed at [www.highland.gov.uk/businessinformation/licensing/civicgovernmentlicensing](http://www.highland.gov.uk/businessinformation/licensing/civicgovernmentlicensing) or a hard copy can be supplied where requested.

## **5. Recommendation**

The Committee is invited to determine the application in accordance with the Council's Hearings Procedure.

Designation: Legal Manager

Officer Reference: Michael Elsey

Date: 25 April 2013

Background Papers: Civic Government (Scotland) Act 1982