

The Highland Licensing Committee

Meeting – 31 March 2015

Agenda Item	6.3
Report No	HLC/020/15

Application for a Public Entertainment Licence – Strontian Village Hall, Strontian (Ward 22 – Fort William and Ardnamurchan)

Report by Alasdair H Mackenzie, Legal Manager

Summary

This Report relates to an application for the renewal of a Public Entertainment Licence.

1.0 Background

1.1 On 16 October 2014 the Council, as Licensing Authority under the Civic Government (Scotland) Act 1982, received an application for the renewal of a Public Entertainment Licence from Strontian Hall Management Committee for Strontian Village Hall, Strontian.

2.0 Process

2.1 The application was publicised and confirmation that the site notice was displayed has been received.

2.2 Following receipt of the application, in accordance with standard procedure, the following agencies were consulted on the application:-

- Police Scotland
- Scottish Fire and Rescue Service
- Planning and Building Standards Service
- Community Services (Environmental Health).

2.3 Further to this publication and consultation process, the following notices of representation have been received:

(1) Community Services (Environmental Health) have indicated that the existing female sanitary accommodation of two compartments is considered inadequate and Community Services have recommended that four female compartments should be provided based on the attendance of 71 to 100 females. (The applicant is seeking a maximum capacity of 200 persons).

(2) Community Services (Environmental Health) require confirmation from the applicant of the details of the person who is responsible for noise management.

(3) Building Standards have advised that they await submission of a satisfactory periodic electrical inspection certificate.

2.4 Members are invited to note the following in respect of the issues highlighted at 2.3 above :-

- the premises is owned by The Highland Council and a Public Entertainment Licence has previously been granted for a maximum capacity of 200 persons;
- Community Services (Building Maintenance) have intimated it would not be possible to increase the female sanitary accommodation given their location within the premises;
- the applicant has been invited to provide details of the person responsible for noise management;
- the premises is located within a complex which comprises of Highland Council and NHS premises. Arrangements are at present being made for an electrical inspection to be undertaken and a periodic inspection report submitted however this has been delayed due to the shared accommodation facilities within the complex.

2.5 The applicant and Environmental Health have been invited to attend or be represented at the meeting and have been provided with a copy of the Hearings Procedure.

3.0 Timescale

3.1 In terms of the legislation the licensing authority must consider all applications within three months of being received and, in the case of a Public Entertainment Licence, make a determination within six months.

3.2 In the case of this application the six month period will elapse on 16 April 2015 and in the absence of the required certification the application cannot be determined under delegated powers.

4.0 Determining Issues

4.1 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

5.0 Powers

- 5.1 The Committee may grant the licence subject to the standard conditions, in which case it would last for three years; grant the licence for a shorter period as considered appropriate; or, refuse the application.
- 5.2 If minded to grant the licence the Committee may attach such reasonable conditions, in addition to the standard conditions, as they think fit.

6.0 Recommendation

Members are **invited** to determine the above application in accordance with the Hearings Procedure.

Designation: A H Mackenzie, Legal Manager
Officer/Reference: Julie Traynor / PE/2014/10/01
Date: 16 March 2015
Background Papers: Civic Government (Scotland) Act 1982