

The Highland Licensing Committee

Meeting – 5 January 2016

Agenda Item	7.1
Report No	HLC/005/16

Application for the grant of a public entertainment licence – Inverness Kart Raceway Ltd (Ward 20 – Inverness South)

Report by the Legal Manager

Summary

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

1.0 Background

1.1 On 28 July 2015 an application for the grant of a public entertainment licence was received from Inverness Kart Raceway Ltd in respect of Inverness Kart Raceway, Fairways Business Park, Sir Walter Scott Drive, Inverness.

1.2 In terms of Section 3(1) of the Civic Government (Scotland) Act 1982 the application requires to be determined within 6 months, i.e. by 28 January 2016, otherwise the application will be deemed to be granted for a period of 12 months.

2.0 Process

2.1 Following receipt of the application a copy was circulated to the following Agencies/Services for consultation:

- Police Scotland
- Scottish Fire and Rescue Service
- Highland Council Environmental Health Service
- Highland Council Building Standards Service
- Highland Council Community Services (Roads)

2.2 Police Scotland, Scottish Fire and Rescue Service and the Council's Community Services (Roads) have confirmed that they have no objections to the licence being issued.

2.3 At the time of writing Building Standards have still to issue a completion certificate for the building and the Environmental Health Service have still to sign off in relation to their requirements.

2.4 An electrical certificate also requires to be submitted by the applicant.

2.5 A verbal update in relation to the outstanding issues will be provided at the meeting.

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.

3.3 In the absence of the sign-offs from the Building Standards and Environmental Health Services and the submission of an electrical installation certificate, the Legal Manager (Regulatory Services) is not currently in a position to issue the licence under delegated powers. As detailed in paragraph 1.2 the application requires to be determined by 28 January 2016.

4.0 Policies

4.1 The following policies are relevant to this application:

Standard Public Entertainment licence conditions. A copy of these can accessed at

http://www.highland.gov.uk/info/1125/licences_permits_and_permissions/298/entertainment_licences/2

or a hard copy can be supplied where requested.

5.0 Recommendation

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