

The Highland Licensing Committee

Meeting – 10 May 2016

Agenda Item	8.
Report No	HLC/046/16

Application for the renewal of a public entertainment licence – Stratherrick Public Hall, Gorthleck, Inverness. (Ward 13 – Aird and Loch Ness)

Report by the Principal Solicitor – Regulatory Services

Summary

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

1.0 Background

1.1 On 12 November 2015 an application for the renewal of a public entertainment licence was received from the Stratherrick Public Hall Committee in respect of Stratherrick Public Hall, Gorthleck, Inverness.

1.2 In terms of Section 3(1) of the Civic Government (Scotland) Act 1982 (the Act) the application requires to be determined within 6 months i.e. by 11 May 2016 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 Scotland
- Scottish Fire and Rescue Service
- Highland Council Environmental Health Service
- Highland Council Building Standards Service

2.2 All of the above agencies and services have confirmed that they have no objections to the licence being issued.

2.3 Copies of the electrical and portable appliance test certificates have been requested. However, at the time of writing these have not been received.

2.4 The licence therefore cannot currently be granted using delegated powers.

3.0 Determining issues

3.1 Section 5(3) of Schedule 1 of the Act 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 to be the holder of the licence

- The activity to which the application relates 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 an activity consisting of or including the use of premises or a vehicle or vessel, that the premises are not, or the vehicle or vessel is not, suitable for the conduct of the activity, having regard to –
 - the location, character or condition of the same
 - the nature and extent of the proposed activity
 - the kind of persons likely to be in the premises, vehicle or vessel
 - the possibility of undue public nuisance, and
 - public order or public safety
- Where there is other good reason

3.2 If required the Principal Solicitor – Regulatory Services will offer particular advice on the criteria relating to this particular application.

4.0 Determination period

4.1 In view of the above the Principal Solicitor – Regulatory Services is not currently in a position to issue the licence under delegated powers and as detailed in paragraph 1.2. above the application requires to be determined by 11 May 2016.

5.0 Policies

5.1 The following policies are relevant to this application:

5.2 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.

6.0 Recommendation

Members are **invited** to determine the above application.

Officer Reference: Michael Elsey

Date: 21 April 2016