

The Highland Licensing Committee

Meeting – 1 November 2016

Agenda Item	8.1
Report No	HLC/085/16

Application for the renewal of a public entertainment licence – Culduthel Christian Centre (Ward 16 – Inverness Ness-Side)

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 9 May 2016 an application for the renewal of a public entertainment licence was received from the management of the Culduthel Christian Centre in respect of their premises at Culduthel Avenue, 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 8 November 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 Planning Service

2.2 All Agencies/Services have confirmed that they have no objections to the licence being issued.

3.0 Electrical certificate

3.1 As part of the application process the applicants are asked to submit a copy of the electrical certificate in relation to the premises.

3.2 From dialogue with the applicants, licensing staff are aware that a new certificate is in the process of being issued for these premises. However at the time of writing a copy of this has not been received. Consequently, the application cannot be granted under delegated powers and the timescale for determining the application, as detailed in paragraph 1.2 above is now approaching.

4.0 Determining issues

4.1 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

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

5.0 Policies

5.1 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.

6.0 Recommendation

Members are **invited** to determine the application in accordance with the hearings procedure.

Officer reference: Michael Elsey

Date: 17 October 2016

Background papers: Civic Government (Scotland) Act 1982