

The Highland Licensing Committee

Meeting – 16 June 2015

Agenda Item	6.1
Report No	HLC/049/15

Application for the renewal of a Public Entertainment Licence – Croy Public Hall, Croy, Inverness (Ward 18 – Culloden and Ardersier)

Report by the Legal Manager

Summary

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

1.0 Background

1.1 On 24 December 2014 an application for the renewal of a Public Entertainment Licence was received from Sheena Maclean in respect of Croy Public Hall, Croy, Inverness.

1.2 In terms of Section 3(1) of the abovementioned Act the application requires to be determined within 6 months ie 24 June 2015 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 A copy of the electrical certificate has been requested. However the applicants have advised that the hall is currently undergoing a major renovation, part of which will include the installation of new electrical wiring.

2.4 It is envisaged that the work will be completed in September 2015 and the applicant has confirmed that the hall is not being used whilst the works are being undertaken.

2.5 In view of this Members may wish to consider granting the renewal licence subject to the condition that no public entertainment activities take place in the premises until the new electrical certificate has been submitted to the Council and is deemed satisfactory.

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 Determination Period

4.1 In view of the above the Legal Manager 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 24th June 2015.

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.

Designation: Legal Manager

Officer Reference: Michael Elsey

Date: 22 May 2015