

## The Highland Licensing Committee

Meeting – 28 March 2017

Agenda Item	<b>8.1</b>
Report No	<b>HLC/017/17</b>

### Application for the grant of a public entertainment licence – Infinity Trampoline Park, Telford Retail Park, Carsegate Road, Inverness (Ward 15 – Inverness Central)

#### Report by the Principal Solicitor - Regulatory Services

#### Summary

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

#### 1.0 Background

1.1 On 28 October 2016 an application for the grant of a public entertainment licence was received from Infinity Trampoline Park in respect of premises at Telford Retail Park, Carsegate Road, 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 27 April 2017, 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)
- Highland Council Planning Service

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

2.3 The Council's Building Standards Service have advised that there are a number of issues still to be resolved in terms of the building warrant and a completion certificate for the premises has not yet been issued.

2.4 The electrical installation certificate, gas certificate and portable appliance test (PAT) certificate have also been requested but have not yet been 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 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.

**3.2** In the absence of the sign offs from the Building Standards Service and the submission of the certification detailed in paragraph 2.4 above the Principal Solicitor (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 27 April 2017.

### **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](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**

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

Officer Reference: Michael Elsey

Date: 8 March 2017

Background Papers: Civic Government (Scotland) Act 1982