

The Highland Licensing Committee

Meeting – 28 March 2017

Agenda Item	8.2
Report No	HLC/018/17

Application for the grant of a public entertainment licence – Portree Community Centre (Ward 11 - Eilean a' Cheò)

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 31 October 2016 an application for the grant of a public entertainment licence was received from the Portree Community Centre Committee in respect of Portree Community Centre.

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 30 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 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 applicant is required to submit a current periodic electrical inspection report.

3.2 At the time of writing this report, 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.

3.3 The applicant has been invited to attend the hearing and has been advised of the hearings procedure which will be followed at the meeting and which may also be viewed via the following link:

http://www.highland.gov.uk/meetings/meeting/617/highland_licensing_committee

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

The Committee is invited to determine the application in accordance with the Council's hearings procedure.

Officer reference: Carol Nicolson

Date: 14 March 2017

Background papers: Civic Government (Scotland) Act 1982