

Agenda item	12.1
Report no	HLC/25/26

THE HIGHLAND COUNCIL

Committee: THE HIGHLAND LICENSING COMMITTEE

Date: 24 February 2026

Report title: Application for the renewal of a public entertainment licence – Newtonmore Village Hall, Main Street, Newtonmore (Ward 20 – Badenoch & Strathspey)

Report by: Principal Solicitor – Regulatory Services

1. Purpose/Executive Summary

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

2. Recommendation

2.1 Members are asked to determine the application in accordance with the Council's hearing procedure.

3. Background

3.1 The Highland Council has resolved that in terms of the Civic Government (Scotland) Act 1982 (the “Act”) a licence will be required for public entertainment for any place including land where members of the public are admitted or may use any facilities for the purposes of entertainment or recreation.

4. Application

4.1 On 28 October 2025 an application for the renewal of a public entertainment licence was received from the Newtonmore Village Hall Committee in respect of Newtonmore Village Hall, Main Street, Newtonmore.

5. Process

5.1 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
- Highland Council Environment and Infrastructure Roads Section
- Highland Child Protection Committee

5.2 There have been no objections received from any of the above services in relation to this application.

5.3 The applicant has submitted all required documents and certification in support of their application, and they have been deemed satisfactory.

6. Representation

6.1 A letter of representation dated 21 November 2025 was received from Mr Charles Girdler, a copy of which is attached as **Appendix 1**.

6.2 Following receipt of this letter of representation, a copy of this was sent to the Council’s Environmental Health and Building Standards Services for comment.

6.3 Environmental Health required further information from the applicant and upon receiving this confirmed they still had no objections to the application.

6.4 Buildings Standards advised that under the Building (Scotland) Act 2003, Building Standards have no powers to require existing buildings to be brought up to current standards unless building work requiring a warrant is proposed. Therefore, they cannot insist on alterations to the hall as part of the Public Entertainment Licence renewal process.

Buildings Standards further advised that, in relation to the concerns raised about accessible facilities, these matters may be more appropriately directed to the building owners and their responsibilities under the Equality Act 2010, which places duties on owners and service providers to make reasonable adjustments for disabled users, and confirmed that they still had no objections to the application.

7. Late Representation

7.1 A letter of representation in support of the application was submitted by Ms Yvonne Richmond on 26 January 2026. As the representation was received after the 28-day consultation period had lapsed, it cannot automatically be considered by the Committee. The Committee may consider a late written representation if it is satisfied that it was reasonable for the respondent to make the representation after the deadline for doing so.

7.2 At the meeting Ms Richmond will be invited to address the Members as to the reason why the representation was submitted after the required timescale. The applicant will also be invited to address the Committee on the same and, thereafter, Members will require to determine whether it was reasonable for the respondent to make the late representation and whether these should be heard.

7.3 If the Committee are minded to accept the late representation, a copy of this will be circulated at the meeting. If not, the application will be determined in its absence.

8. Determining issues

8.1 Paragraph 5(3) of Schedule 1 of the Act states that a licensing authority shall refuse an application to grant or renew a licence where:

(a) the applicant or anyone else detailed on the application is not a fit and proper person;

(b) 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;

(c) where the licence applied for relates to an activity consisting of or including the use of premises or a vehicle or vessel, those premises are not or, as the case may be, that vehicle or vessel is not suitable or convenient for the conduct of the activity having regard to

(i) the location, character or condition of premises or the character or condition of the vehicle or vessel,

(ii) the nature and extent of the proposed activity,

(iii) the kind of persons likely to be in the premises, vehicle or vessel,

(iv) the possibility of undue public nuisance, or

(v) public order or public safety; or

(d) there is other good reason for refusing the application.

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

8.3 A copy of this report has been sent to the applicant, Mr Girdler and Ms Richmond who have been invited to attend and will be provided with an opportunity to be heard by the Committee. They have also been advised of the procedure which will be followed at the meeting.

9. Policies

9.1 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/directory_record/738741/public_entertainment/category/498/entertainment_and_public_events

or a hard copy can be supplied where requested.

10. Implications

10.1 Not applicable.

Date: 03 February 2026

Author: Kata Somogyi

Ref: PEL

Background Papers: Civic Government (Scotland) Act 1982

Appendix 1 – Letter of representation dated 21 November 2025



Charles Girdler



Highland Council
Council Headquarters,
Glenurquhart Road,
Inverness, IV3 5NX.

Date : 21st. November 2025

**Public Entertainment License Application For :-
Newtonmore Village Hall**

Dear Sirs,

I refer to the application for the above premises made on the 29th October 2025 and would raise a comment in connection with the disabled toilet provision. I understand that there is a requirement to provide disabled toilet provision in accordance with BS 6465 part 1 and that such provision should be within a maximum travel distance of 45m.

I would draw your attention to the fact that Newtonmore village hall has no internal disabled toilet facilities within the building. But, there is an adjoining public toilet disability facility that might be used in lieu and the applicant might well be using this facility to show compliance.

However, this public disability toilet facility is on the opposite side of the hall from the only external disability access ramp and door into/out of the hall. The distance of travel from this external disability access ramp and door around the hall to the public disability toilet is virtually the requisite 45m itself, and takes no account of any travel distance inside the hall itself. This means any internal travel distance within the hall would add significant distance well in excess of the maximum 45m.

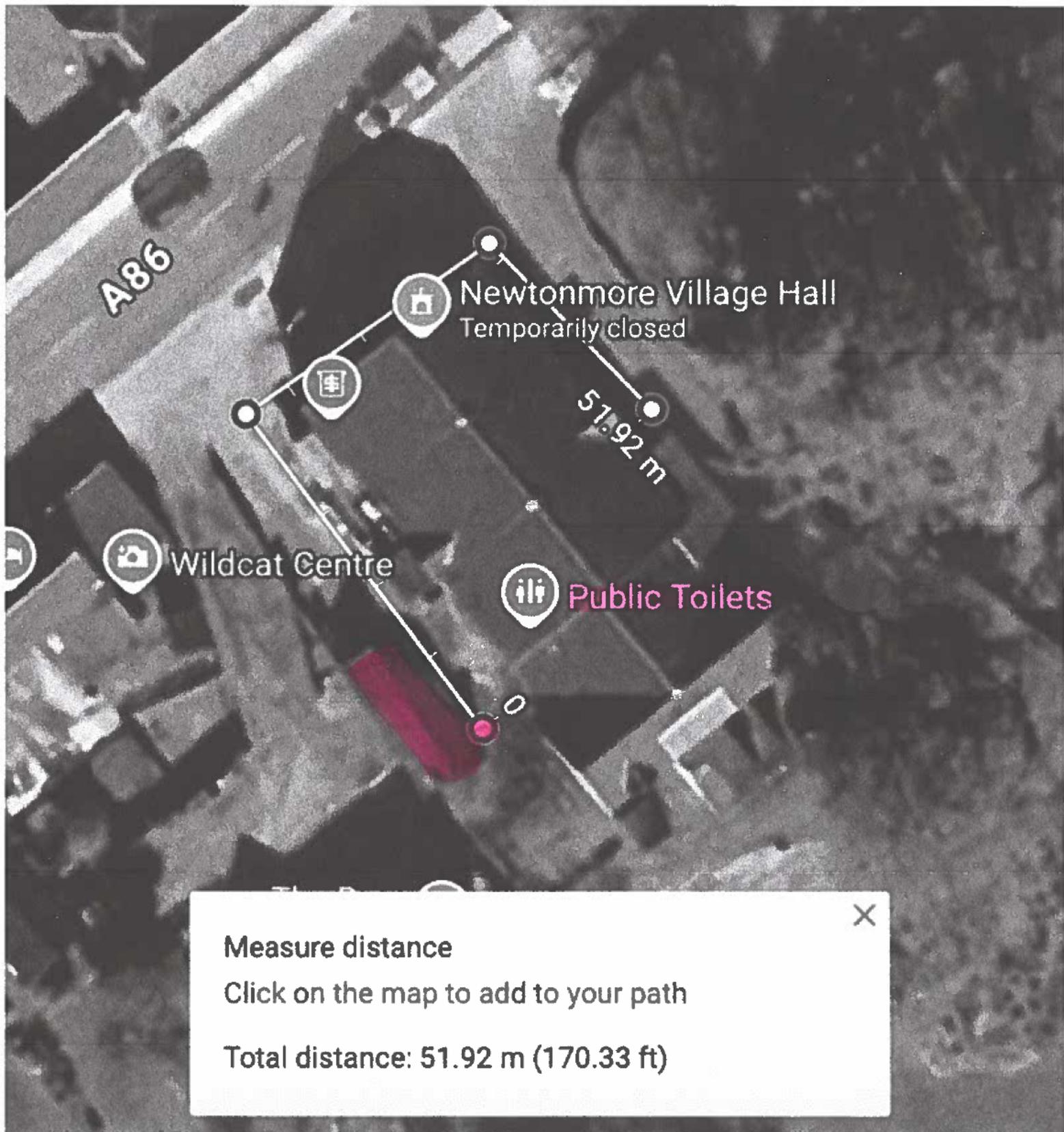
Please find attached a diagram showing this with the route of travel from the hall's external disability access ramp and door around the front of the hall up the public disability toilet as shown by the white line and the distance. Under these circumstances I believe that any proposal by the village hall to use the adjoining public disability toilet would not be in accordance with the requisite standards required for the purposes of their PEL application.

Yours sincerely,



Charles E Girdler

Encl. - Aerial view of village hall & adjoining public toilets.



Measure distance

Click on the map to add to your path

Total distance: 51.92 m (170.33 ft)