

Aberdeenshire Council

Civic Government (Scotland) Act 1982

Section 41 and Schedule 1 – Public Entertainment Licences

Conditions Attaching to Licences for Public Halls

1. The Licence permits the use of the Premises specified therein as a place of public entertainment. It shows the type and maximum occupant capacity of the Premises. The Licence must be exhibited in the Premises in such a place and in such a manner as to be easily read by the public.
2. The Licence holders or, in the absence of the Licence holders, a responsible person authorised by them, must be in charge of the premises, must inspect them before the public are admitted and must not be engaged in duties which might prevent the exercising of general supervision of the premises. The licence holder or responsible person must be present at the premises at all times when it is open to the public.
3. No members of the public must be allowed to remain within the premises after 1.00a.m. on any day unless the Council has given prior written permission at least 48 hours beforehand, which permission will include any occasional licence or occasional permission granted by the Licensing Board.
4. The Licence holders shall be liable for any act or omission of their servants, agents or lessees in the contravention of, or non-compliance with, any of these Conditions.
5. The Licence holders shall ensure that the Premises are covered by a policy of Third Party Liability Insurance with a reputable company for not less than £5 million and shall exhibit to the Council, on demand, evidence that the premiums in respect of such policy have been timeously paid.
6. The Licence holders must determine the number of stewards, if any, required to be in attendance in addition to the licence holder or responsible person to ensure safe management of the premises or any event held therein. A minimum of one steward will normally be required for any event that attracts 50 persons or more. Any stewards must be fully instructed in all safety precautions, including fire safety precautions, to be observed in the premises and the action to be taken in the event of an emergency.
7. The arrangement of seating, tables and any other furniture or equipment must be such as to allow free and unobstructed access to all stairways, passageways, entrances and exits, including fire exits. Before admitting public access to the premises the licence holder or responsible person must ensure that all exits are unobstructed, unlocked and able to be opened.
8. The Licence Holders must carry out a Fire Risk Assessment and comply with the Fire (Scotland) Act 2005 as amended and all other relevant legislation, to the satisfaction of the Chief Officer.
9. The Licence holders shall ensure that all electrical installations at the premises are in safe working order and comply with all relevant statutory requirements at all times to the satisfaction of the Head of Protective Services.
10. All gas appliances, installations, pipework or flues installed shall be maintained in a safe condition, so as to prevent risk of injury to any person. Work on such appliances and installations shall be undertaken by suitably accredited engineers registered with Gas safe Register.

11. Where food is regularly stored, prepared and/or served in the Hall, and/or if external caterers are used for individual events then full compliance with Regulation (EC) 852/2004 - "The Hygiene of Foodstuffs" and The Food Hygiene (Scotland) Regulation 2006 will be required. If raw and ready to eat foods together, are to be handled, prepared, cooked and/or served at an individual event the Licence Holder must notify the local Environmental Health Office of this proposed activity for advice.
12. Where toilet facilities are provided, the licence holder shall ensure that these are suitable, maintained in good working order and in a clean condition, all to the satisfaction of the Head of Protective Services
13. The Licence Holders shall ensure that the necessary health and safety arrangements are in place at the premises, to include the carrying out of sufficient risk assessments, clarifying health and safety responsibilities and effectively co-ordinating the activities to ensure compliance with the Health and Safety at Work Act and any other relevant legislation, all to the satisfaction of the Head of Protective Services.
14. The Licence holders shall ensure that adequate medical/first aid provisions are made for events taking place within the premises.
15. The Licence holders shall ensure that necessary measures to prevent statutory nuisance, including noise nuisance to neighbouring occupiers of the premises are taken, all to the satisfaction of the Head of Protective Services.
16. On any occasion where disabled people are present on the premises, special arrangements as may be reasonable in the circumstances must be made to ensure their safety within the premises and also for their safe evacuation in the event of fire.
17. Except with the prior special permission of the Council, no exhibition, demonstration or performance of hypnotism within the meaning of the Hypnotism Act 1952 shall be given within the Premises.
18. The Head of Planning Services, the Head of Protective Services, the Chief Officer, any Police Officer, the Manager of any Gas, Electric or other Utilities company and their representatives, and any other person authorised by the Council must have access to the premises at any reasonable time for the purpose of inspecting and examining the same.
19. The Licence holders must surrender the Licence if and when called upon to do so by the Head of Service for the purpose of alteration in accordance with any decision of the Council.

20. Definitions.

"the Act" means the Civic Government (Scotland) Act 1982;

"the Council" means Aberdeenshire Council;

"Licensing Board" means the North, Central and South Divisional Licensing Boards within Aberdeenshire.

"Head of Protective Services" means the Head of Service of Protective Services and Waste Management of Aberdeenshire Council

"Head of Service" means the Head of Service of the Legal and Governance Section of the Corporate Service of Aberdeenshire Council;

"Head of Planning Services" means the Head of Service of the Planning and Environmental Section of the Infrastructure Service of Aberdeenshire Council;

"Chief Officer" means the Chief Officer of the Scottish Fire and Rescue Service;

"Licence Holders" means the person, persons, company, firm, public body or voluntary organisation named in the Licence;

"Premises" means the premises specified in the Licence.