

Susan Carstairs(Secretary)
Arisaig & District Community Council
Cross Cottage
Arisaig
PH33 4NJ

Chief Executive: Donna Manson

Please ask for: Julie Traynor
Direct Dial: 01397 707233
E-mail: julie.traynor@highland.gov.uk
Your Ref:
Our Ref: PE/2022/09/01
Date: 3 November 2022

Dear Susan

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982
PUBLIC ENTERTAINMENT LICENCE
LICENCE-HOLDER : ARISAIG & DISTRICT COMMUNITY COUNCIL
EVENT: FIREWORKS DISPLAY**

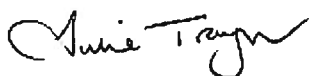
I refer to our recent communications concerning your forthcoming fireworks display. I would confirm that I have consulted with the Police, Fire and Environmental Health Authorities in relation to your event and would advise that no adverse issues or concerns have been raised.

Please therefore ensure that effective management arrangements will be implemented and that the event takes into account the following updated health and safety guidance :

- [Working Together on Firework Displays](#) (this replaces the H & S Guidance 123)
- [Giving your own Firework Display](#) (this Guide replaces the H & S Guidance 124)
- ROSPA Safer Fireworks – www.saferfireworks.com

As you will be aware, it is a condition of the Licence that the licence holder must hold third party liability insurance giving a minimum level of indemnity of £5,000,000 in respect of the licensed use.

Yours sincerely



For CLAIRE MCARTHUR
Principal Solicitor – Regulatory Services

Encl.



CIVIC GOVERNMENT (SCOTLAND) ACT 1982

PUBLIC ENTERTAINMENT LICENCE

LICENCE NO:PE/2022/09/01

LICENCEHOLDER: ARISAIG & DISTRICT COMMUNITY COUNCIL

**DAY TO DAY MANGER: SUSAN CARSTAIRS
(SECRETARY)**

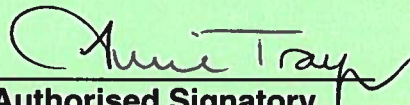
The above-named is hereby licensed to use the premises:

**ADDRESS OF
LICENSED PREMISES: LAND SURROUNDING LAND + SEA CENTRE
(FIRE-WORKS DISPLAY)
ARISAIG COMMUNITY CENTRE TRUST
ARISAIG
PH39 4NJ**

As a place of public entertainment in terms of Section 41 of the Civic Government (Scotland) Act 1982, subject to the undernoted conditions.

The Licence shall expire on **02 NOVEMBER 2025.**

Date: 03 November 2022


Authorised Signatory

CONDITIONS

1. The number of persons admitted to the premises at any one time shall not exceed **ONE HUNDRED PERSONS.**
2. The Conditions contained in the Schedule attached hereto.

THE HIGHLAND COUNCIL

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

PUBLIC ENTERTAINMENT LICENCE - SCHEDULE OF CONDITIONS

DEFINITIONS

Within the conditions applicable to the undernoted licence, the following definitions shall apply: -

- 1.1 "This Licence" or "the licence" means the licence noted hereunder and for the avoidance of doubt shall include all the conditions attached to it either as under noted or by way of reference;
- 1.2 "The Council" means the Highland Council and any officer authorised to act on its behalf in terms of this licence;
- 1.3 "The Licence holder" means the person (or if a non natural person the incorporated company) named in the licence;
- 1.4 "The Premises" means the premises specified in clause 2.2 of this licence;
- 1.5 "Patrons" or "Public" means persons admitted or seeking admission to the premises for any purpose other than the performance of duties in connection with the entertainment being provided;
- 1.6 "Chief Fire Officer" means the Chief Fire Officer of the Scottish Fire and Rescue Service or his/her authorised Depute within the relevant Highland Council area.
- 1.7 "The Act" means the Civic Government (Scotland) Act, 1982.

2. LICENCE HOLDER AND PREMISES

2.1 Licence Holder

This licence is granted to: **ARISAIG & DISTRICT COMMUNITY COUNCIL**

Day to Day Manager: **SUSAN CARSTAIRS (SECRETARY)**

2.2 The Premises

The premises to which this licence applies are located at:

**LAND SURROUNDING LAND + SEA CENTRE
(FIRE-WORKS DISPLAY)
ARISAIG COMMUNITY CENTRE TRUST
ARISAIG
PH39 4NJ**

[and are shown for identification purposes only on plan annexed and signed as relative to the licence].

2.3 Unless otherwise authorised in writing by the licensing authority, the premises shall be used for public entertainment only during the hours from:

FIREWORKS DISPLAY: 1900 hours to 2130 hours

3. DURATION

The licence is issued on **THIRD DAY OF NOVEMBER, TWO THOUSAND AND TWENTY-TWO** and is valid "subject to the terms of the Act" up until and including **SECOND DAY OF NOVEMBER, TWO THOUSAND AND TWENTY-FIVE** in line with Coronavirus (Scotland) Act 2020).

4. LICENSED USE

The use of the premises by the public for money or monies worth is restricted to the following forms of entertainment or recreational activities and matters wholly ancillary thereto, namely:-

ANNUAL FIREWORKS DISPLAY

The number of persons admitted to the premises during any event at any one time shall not exceed:

ONE HUNDRED PERSONS (Fireworks Display)

The occupancy capacity limit of the premises, that is the limit on the number of people permitted to occupy the premises at any one time, as specified herein, shall be determined by the Council in consultation with the Chief Fire Officer and shall not be exceeded. The licence holder shall take appropriate measures to ensure that controlled drugs (within the meaning of Section 2 of the Misuse of Drugs Act, 1971) are not used on the premises.

5. GENERAL CONDITIONS

5.1 Licence Holder Not to Materially Alter Premises, etc Without Prior Authorisation

The licence holder shall not make or cause or permit there to be made any material change to the premises, without the prior written consent of the Council.

5.2 Licence Holder to Retain Occupational Control of the Premises

The licence holder shall retain occupational control of the premises, except with the prior written consent of the Council, such consent always to be conditional on any occupier complying with the conditions of the licence.

5.3 Premises to be Clean and Tidy

The premises shall be kept and, in due course, left in a clean and tidy condition to the satisfaction of the Council, with arrangements being made for the storage, collection and disposal of waste or refuse during and after use of the premises all to the satisfaction of the Council.

5.4 Restrictions on Use of the Premises

Use of the premises for pyrotechnics, lasers, other potentially hazardous special effects, firearms or any exhibition, demonstration or performance of hypnotism within the meaning of the Hypnotism Act 1954, shall not take place without the prior written consent of the Council. Application for such permission must be made in writing at least 14 days in advance of the planned entertainment and give full details of the proposed use. Further, in any event, the licence holder shall not exhibit any light which:-

- (i) by reason of its glare is liable to endanger aircraft or road traffic;
- (ii) by reason of its liability to be mistaken for an aeronautical ground light or ground light

or

6. CONDITIONS REGARDING HEALTH AND SAFETY

6.1 Safety of Services, Plant and Equipment

The licence holder shall satisfy the Council as to the safety of any electrical or mechanical installation or safety of any relevant equipment associated with the operation of the premises.

6.2 Toilet Accommodation etc

- 6.2.1 The licence holder having regard to the likely numbers frequenting the premises, shall make adequate provision, to the satisfaction of the Council with regard to sanitary accommodation and drainage facilities.

6.2.2 The licence holder shall ensure that all toilet requisites are provided and that all toilets are kept clean and in an orderly condition and shall designate a suitable person or persons for those purposes.

6.2.3 Facilities shall be provided in all female toilets for the hygienic disposal of sanitary towels.

6.2.4 Means of locking or otherwise securing doors to all water closets or individual shower rooms shall be provided.

6.3 Premises to be Provided with Adequate Supply of Wholesome Water

The licence holder shall ensure that the premises shall be provided with an adequate supply of wholesome water. The supply of drinking water shall be available during the course of an event, at all times free of charge and any drinking vessels provided must be clean.

6.4 Seating and Stages and Other Structures

Seating shall be designed, constructed and maintained so as to ensure safe use and allow free and ready access to all exits, all to the satisfaction of the, Chief Fire Officer. Stages must be constructed and arranged so as to minimise the risk of fire. Stages and attendant fixtures and fittings (and for example, curtains, lights etc) must also be approved by the Chief Fire Officer.

6.5 Temporary Structures

Details of any temporary structures (with the exception of modular demountable staging previously notified to and approved by the Council) to be erected on the premises shall require to be submitted to the Council at least 14 days before any event together with, at the sole discretion of the Council and at the expense of the licence holder, a Structural Engineers report or other such certification as the Council may require. Such structures shall not be erected without the prior written authority of the Council.

6.6 Management of the Premises

6.6.1 The licence holder shall ensure that an effective system is maintained for the management of the premises, and all events held therein, to ensure the health and safety and welfare of the public.

6.6.2 The licence holder shall ensure that adequate arrangements are in place in respect of fire precautions at the premises.

6.7 Fire Certificate

Where applicable, the licence holder must be in possession of a valid fire certificate in respect of the premises granted by the Chief Fire Officer, or failing which, a letter from the Chief Fire Officer confirming that the premises meet the standards required by the Chief Fire Officer.

6.8 Certification for Funfair Rides and Inflatable Structures

The licence holder shall ensure that prior to any funfair rides or inflatable structures being operated at the premises the relevant Amusement Device Inspection procedures Scheme (ADIPS) certificates (in respect of funfair rides) and Pertexa Inflatable Play Accreditation (PIPA) certificates (in respect of any inflatable structures) are submitted to and approved by the Council.

7. ANCILLARY CONDITIONS

7.1 Adjoining or Neighbouring Premises

The licence holder must ensure that no noise arising from the use of the premises shall give rise to reasonable cause for annoyance.

7.2 Third Party Liability Insurance

The licence holder must provide proof that he holds third party liability insurance giving a minimum level of indemnity of FIVE MILLION POUNDS (£5,000,000) in respect of the licensed use. The licence holder must exhibit the policy and any receipt for premiums or any other document relating to the policy, to the Council at, no cost to the Council upon demand.

7.3 The licence must be displayed in premises, replaced if required and produced when requested

The licence holder must display the licence, and a valid certificate of third party liability insurance, in the premises so that it can be read by any patron or person entering the premises.

The licence must not be altered, erased or defaced and must be kept clean and legible. Should the licence be lost or become defaced or illegible the licence holder must obtain a replacement from the Council on payment of the appropriate fee. The licence holder must produce this licence within five days when required to do so by a Police Constable or authorised officer of the Council or authorised officer of the Chief Fire Officer.

7.4 Return of Licence to the Council

The licence holder shall return the licence to the Council within seven days of the following whereupon it shall cease to have effect:-

- (i) ceasing to use the premises as a place of public entertainment permanently
- (ii) on being notified of a decision by the Council to vary the terms of or suspend the licence or the decision of a court to revoke it

7.5 Licence Holder not to Undertake Fly Posting

The licence holder or the licence holders servants or agents shall ensure that no fly posting is undertaken by the licence holder or on behalf of the licence holder in respect of any performance or event taking place in respect of the premises.

[Any condition in current licence in respect of fly posting and/or financial bonds shall continue in force].

7.6 Change in Circumstances

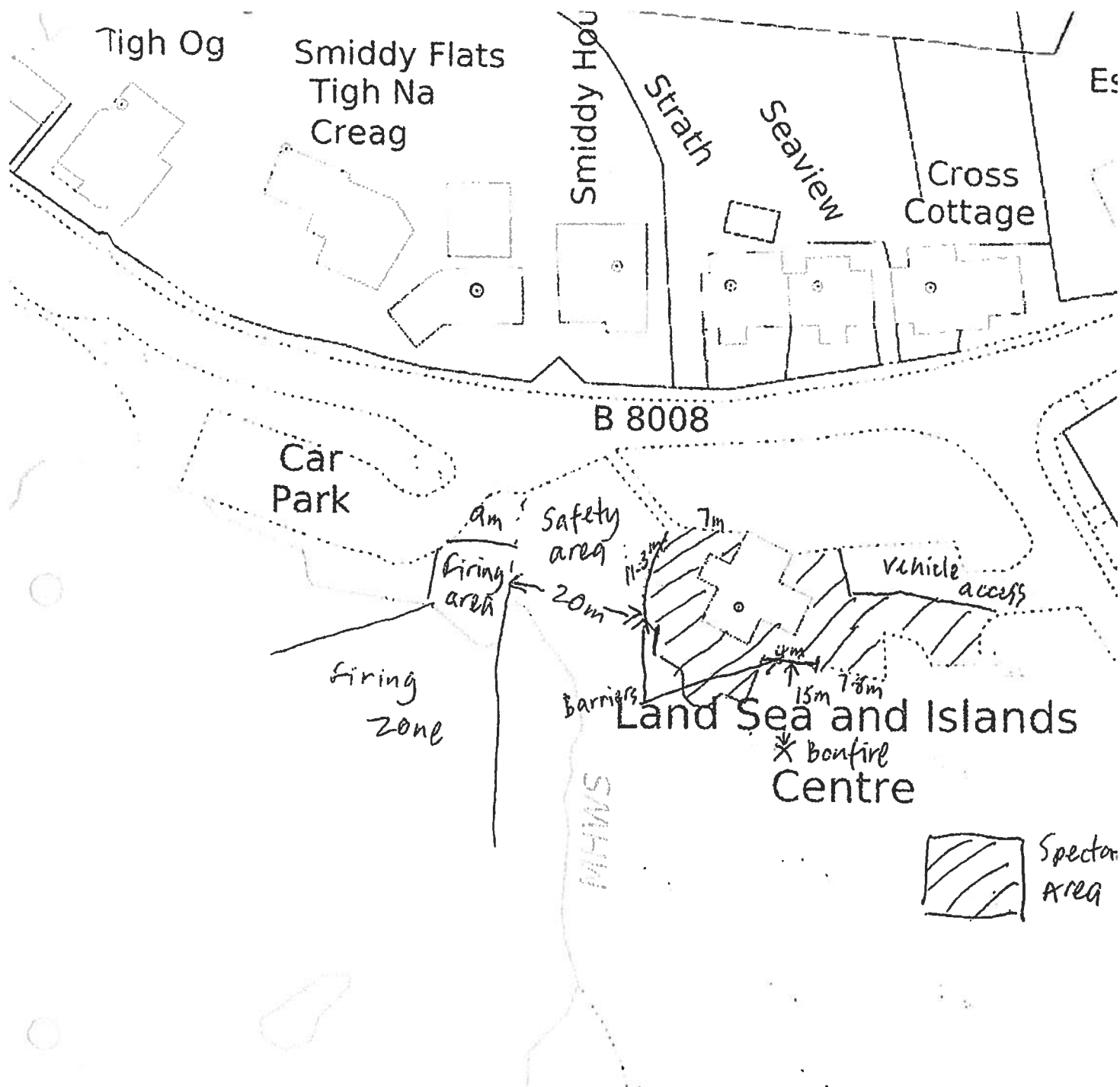
The licence holder must notify the Council as soon as is reasonably practicable of any material changes of circumstances affecting the licence holder, the premises, or the licensed use, including any particulars referred to on the application for a grant or latest application for a renewal of a licence.

7.7 Performance of a Play

In the event that the premises are used for the performance of a theatrical play within the meaning of the Theatres Act 1968 then during the said performance this condition shall act as a temporary licence granted under the Theatres Act 1968 by the Council in favour of the licence holder and the premises detailed in Condition 2 of this licence. The temporary licence will last for the duration of the theatrical performance and shall be subject to the standard conditions of the public entertainment licence.

7.8 Application for Consent

Any request for any authorisation required in terms of this licence shall be made to the Principal Solicitor – Regulatory Services.



APPROVED PLAN : PE/2017/10/01 (Fireworks display)

Relative to a Public Entertainment Licence in respect of Land adjacent to Land, Sea and Islands Centre at Arisaig Foreshore (known as Morroch), Arisaig.

Date : 1 November 2017

Authorised Signatory

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Arisaig Fireworks Site Layout Plan

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