

CONDITIONS APPLICABLE TO PUBLIC ENTERTAINMENT LICENCES

The following conditions apply in addition to the mandatory licensing conditions imposed upon the licence-holder under the Civic Government (Scotland) Act 1982 (“**the Act**”) and any regulations and statutory instruments made under the Act.

1. The licence is granted for a maximum of 5000 people.
2. The licence holder shall require to exhibit this licence along with these conditions at the location/premises where the entertainment is being held in order that it may be conveniently read by all members of the public attending the entertainment and must be made available for inspection on demand by any Police Officer, Fire Officer, authorised Officer of the Local Authority or member of the public.
3. The licence holder shall only be permitted to hold the entertainment at the premises or location specified in the licence.
4. The use of the premises specified in the licence, by the licence holder, is restricted to the following kind or kinds of entertainment on the date and times specified:-

Fire Work Displays

5. The licence holder shall require to submit for approval, prior to the entertainment commencing, a plan showing the proposed layout of the premises/location licensed to the Head of Legal and Democratic Services, the Moray Council. The entertainment must be conducted in accordance with the said plan, as approved.
6. The licence holder shall require to have in force in respect of the premises/location a policy of public liability insurance with a reputable insurance company for not less than £5 million.
7. The licence holder shall require to exhibit this insurance policy to the Licensing Authority as required.
8. The licence holder shall ensure that he/she has sufficient staff/stewards available to supervise the running of the entertainment in compliance with this schedule of conditions.
9. Stewards
 - (a) where the majority of patrons present are over 16 years of age a minimum of one steward for every 100 patrons/members of the audience, where no seating is provided, or a minimum of one steward for every 250 patrons/members of the audience, where permanent fixed seating is provided.
 - (b) where the majority of patrons present are under 16 years of age a minimum of two stewards for every 100 patrons/members of the audience, where no seating is provided, or a minimum of one steward for every 100 patrons/members of the audience where permanent fixed seating is provided.
 - (c) Stewards will also require to be provided at each entrance and/or exit.
 - (d) The above figures do not take into account stewards which may be needed for car parking and traffic marshalling duties. Additional stewards will be required if the entertainment venue is not designed for public assembly.
10. The licence holder must ensure that said staff/stewards are readily identifiable to the public by means of some conspicuous clothing or marking system which is visible under all lighting conditions.
11. The licence holder or, in the absence of the licence holder, a person holding authority from the licence holder, must be in charge of the premises/entertainment location, and must inspect the premises/location before patrons are admitted on any day.

12. On any occasion when disabled people are present on the premises/at the location special arrangements as may be reasonable in the circumstances must be made to ensure their safety within the premises/location and also for their safe evacuation in the event of fire.

13. The licence holder shall require to ensure that any necessary planning consent and/or building warrants has been obtained before commencement of the entertainment at the premises/location.

14. Notwithstanding the above and the conditions detailed herein, the licence holder, while the entertainment is in operation, shall comply with any order or instruction given by a police officer for the prevention of obstruction or annoyance to the public or the occupiers of any premises, or in connection with any emergency or disturbance, or any occasion when an Officer at his discretion may consider it necessary in the public interest to give such an order or instruction.

15. The licence holder shall require to ensure that any authorised Officer of the Council and Officer of the Fire Authority or a Police Officer shall before, during and after the entertainment be permitted free access to the premises/location at any time for inspection purposes.

16. 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 Environmental Health Manager.

17. The licence holder shall ensure that necessary measures to prevent statutory nuisance, including noise nuisance, to neighbouring occupiers of the premises/location are taken, all to the satisfaction of the Environmental Health Manager.

18. Where food is sold or handled, the licence holder shall require to ensure compliance with the Food Safety Act 1990 and any Regulations made thereunder, all to the satisfaction of the Environmental Health Manager.

19. The licence holder shall ensure that the necessary health and safety arrangements are in place at the premises. The arrangements will require 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 1974 and Regulations made thereunder, all to the satisfaction of the Environmental Health Manager.

20. The licence holder shall provide on his premises containers for waste material of a number and type approved by the Environmental Health Manager, and suitable arrangements will require to be made for the disposal of such waste.

21. The licence holder shall ensure that no fly posting is undertaken to advertise the entertainment.

22. The licence holder must ensure that good order and decency is maintained within the premises/or at the location licensed.

23. The licence holder shall not make, cause or permit to be made any structural alterations to the premises or to the position of fixed seating therein, nor shall any new electrical installation be provided therein, or any extension made to any existing electrical installation, unless and until details of the proposed works have been submitted by the licence holder to the Head of Legal and Democratic Services, The Moray Council and the works approved by the Council in terms of Paragraph 9(2) of Schedule 1 to the Civic Government (Scotland) Act 1982.

24. If the entertainment provided involves a "performing animal" then the owner of that animal should be registered in terms of the Performing Animals (Regulations) Act

1925.

25. Where any exhibition, demonstration or performance of hypnotism within the meaning of the Hypnotism Act 1952 is to be given within the premises/at the location licensed, the Home Office for Scotland's Standard Conditions for Hypnotism Events shall also be complied with.

26. The Licence Holder shall be fully conversant with the publication produced by the Events Industry Forum entitled "**The Purple Guide to Health, Safety and Welfare at Music and Other Events**" or subsequent updated versions, whichever is valid at the time of the event and at all times follow the guidance detailed therein, with particular attention to planning for emergency situations at the site, traffic and crowd management, child protection and medical resources.

27. The Licence Holder or nominee shall be in charge of and present on the licensed site at all times members of the public are present.

28. The Licence Holder shall have a primary and continuing obligation and responsibility to ensure the safety of all persons on the licensed site, both in normal and emergency situations and shall take all necessary precautions to fulfil that obligation.

29. The Chief Constable or his authorised representatives shall be entitled to order the termination of the event should the interests of the public so require. Without prejudice to the foregoing, any default of these licensing conditions shall entitle such person to order termination of the event. In this connection, "termination" may include a temporary suspension of whatever period such person may reasonably determine