



Civic Government (Scotland) Act 1982 Guidance Notes - Public Entertainment Licence

The Civic Government (Scotland) Act, 1982, Section 41 requires places used for Public Entertainment to be licensed.

You Require a Public Entertainment Licence Where :-

- on payment of money or money's worth, members of the public are admitted or may use your facilities for the purposes of entertainment or recreation, and
- the entertainment takes place in one of the following types of venue:-
 - Halls/Dance Halls; Discotheques; Clubs; Barns/Agricultural Premises; Marquees/Temporary Buildings; Bowling/Skating Rinks; Billiard/Snooker Halls; Swimming Pools; Warehouses; Indoor Shopping Centre/Malls; Factories/Industrial Premises; Parks/Open Spaces; Fields/Farmlands; Athletics/Sports Grounds (while they are not being used for athletic or sporting purposes); Schools (while they are not being used for educational purposes); Church premises (while they are not being used for religious services); Amusement Arcades (while they are not being used as Amusement Arcades); Bridges/Aqueducts/Overpasses; Streets/Roads and Car Parks, and
- an entertainment requiring a licence is one of the following types of event:-
 - Disco/Dances; Concerts; Displays (including Bonfires and Fireworks); Demonstrations; Billiards/Snooker; Sporting Events; Fun Fairs; Circuses; Bowling/Skating; Swimming; Paint Ball/War Games; Bungee Jumping; Motor Cycle Scrambling or Go Karting.

How to Apply for a Licence

- You can apply for a 3 year licence or for a temporary licence. A temporary licence would suit a one-off event or an event which will happen only once every year. You should apply for a licence **at least 6 weeks before** the event to give us enough time to consider it. **ANY APPLICATION LODGED LESS THAN 21 DAYS BEFORE THE EVENT CANNOT BE CONSIDERED.**
- You should complete the application form in pen or in type answering all questions fully, using a separate sheet if necessary.



- A site notice must be displayed where the event is to take place. The notice must stay in place for a continuous period of **21 days** from the date you submit your application. You will have to confirm that you have done this by sending us a Certificate of Compliance. The form site notice and certificate of compliance you must use are attached to the application form. You do not have to display a site notice for a temporary licence.
- The information shown on the attached **check list/any other information requested by us** ; the certificate of compliance notice should be returned once a site notice has been displayed for 21 days.

How we deal with your Application -

Once we have received your application, we will send a copy to the Police and the Fire Brigade. We will also consult with other Council Services, for example Environmental Health, Building Control, Roads, etc., depending on the nature of your application.

If we think any additional enquiries should be carried out, you will be notified and the results of these may be taken into account before we decide your application. Before we make our decision, we will also require to take account of any objections to your application, either from consultees or from members of the public. We may decide to hold a Hearing to decide whether to approve your application and, if so, you will be notified in advance of this to give you an opportunity to be heard.

We must consider your application within 3 months of it being sent to us and must reach a final decision within 6 months. The final decision is taken by Community and Regulatory Services. No functions for which a Public Entertainment Licence is required should take place until a licence is issued.

Conditional Consent can attach conditions to a Public Entertainment Licence which might -

- (a) restrict the use of the premises for certain types of entertainment
- (b) limit the number of persons to be admitted to the premises and,
- (c) fix the days and times when the entertainment may take place.

We can impose any other reasonable conditions particularly where the emergency services have expressed concerns about the nature of your application or where it would be appropriate to do so in order to minimise any nuisance or disturbance to neighbouring occupiers.

You can however seek a variation of any of these conditions. The Licensing Administrator will be able to advise you on the appropriate procedure.



We can **REFUSE** your application if we consider that:-

- (a) you are not a fit and proper person to hold a licence,
- (b) the premises are not suitable or convenient for the proposed public entertainment and if
- (c) there is any other good reason to refuse your application.

When an application is refused, you can ask for written reasons for the refusal and you have a right of appeal to the Sheriff.

If you require any further information please contact the Licensing Administrator on telephone number 01259 452093 or email address licensing@clacks.gov.uk

N.B. WHERE ALCOHOLIC REFRESHMENT IS TO BE PROVIDED AT ANY EVENT, AN ADDITIONAL LIQUOR LICENCE MAY BE REQUIRED, DETAILS OF WHICH MAY ALSO BE OBTAINED FROM OUR LICENSING ADMINISTRATOR.



PUBLIC ENTERTAINMENT LICENCES CHECK LIST

Before a licence is issued, you must show us:-

a current Certificate of Public Liability/Third Party Indemnity Insurance

a Certificate from the Fire Brigade that your premises comply with current fire safety regulations.

a letter of consent from the owner of the property/premises or, if the event is on Council/Clackmannanshire Leisure Trust Premises, a copy of the booking form for those premises

a Certificate from an independent engineer that any equipment to be used on the premises is safe.

a site plan indicating any raised structures - e.g. stage/marquee - location of entrance and exit points and lighting for these points

any additional information requested by us -

e.g. **Environmental Health** issues- water supply for drinking, catering, toilet and first aid facilities; drainage arrangements; arrangements for the collection and disposal of litter; location of first aid points; details of catering facilities; details of sound levels/public address system; details of electrical supply including lighting facilities; ventilation

e.g. **Building Control** - if there are to be any raised structures, such as seating, stages, platforms you may need to obtain a Building Control Certificate from the Council for which there may be an additional fee.

In addition, you will need to consult with the Police and the Fire Brigade, whose likely probable areas of concern include emergency planning, crowd safety and control, road safety, parking facilities, stewarding, exit routes etc.

THIS LIST IS NOT EXHAUSTIVE. THERE MAY BE OTHER ITEMS OF INFORMATION REQUESTED BY US