
Report To:	GENERAL PURPOSES BOARD	Date: 12 June 2013
Report By:	HEAD OF LEGAL AND DEMOCRATIC SERVICES	Report No: LA/1043/13
Contact Officer:	LINDSAY CARRICK	Contact No: 712114
Subject:	Civic Government (Scotland) Act 1982 Criminal Justice and Licensing (Scotland) Act 2010 Changes to Licensing of Public Entertainment	

1.0 PURPOSE OF REPORT

- 1.1 The purpose of this report is to advise that the initial statutory procedures to make the above resolution have now been completed and to seek authorisation to complete the statutory process.

2.0 BACKGROUND

- 2.1 At its meeting held on 13 February 2013 the Board noted the changes in legislation and agreed that members consider any other activities/events which may be included in the Resolution and to send their comments to the Depute Clerk within the next fourteen days of the meeting. No written comments were received. In accordance with the decision of the meeting on 13 February an advert was placed in the local paper circulating in the Inverclyde Area advertising that it was the Council's intention to make the Resolution to amend the list of activities which requires a licence for public entertainment as detailed in Appendix 1 of this report and inviting any representations in respect of the Resolution.

APPENDIX 1

- 2.2 No representations were received and authority is now sought from the Committee to pass the Resolution as per Appendix 2 of this report without modification and advertise the making of the Resolution in local papers. The activities which will be excluded from the existing Resolution are shown highlighted in bold in Appendix 2 of this report.

APPENDIX 2

3.0 RECOMMENDATION

- 3.1 To amend the existing Resolution.
- 3.2 To authorise the Head of Legal & Democratic Services to complete the statutory procedures in respect of the Resolution including advertising the making of the Resolution in the local Newspaper.

THE INVERCLYDE COUNCIL

CIVIC GOVERNMENT (SCOTLAND) ACT, 1982
Public Entertainment Licences – Change to Resolution

Inverclyde Council gives notice that it intends to make a resolution in terms of Section 9 of the Civic Government (Scotland) Act 1982, to amend the list of activities which requires a licence for public entertainment to exclude the following proposals from the requirement to be licensed:

- (i) gala day, fetes and other similar small scale outdoor events of a community nature
- (ii) school fetes and similar school fundraising events
- (iii) fetes and similar fundraising events run by any religious bodies
- (iv) premises used for exhibitions of artwork; and
- (v) premises used for oral recitals including poetry reading and story telling.

Representations about this resolution must be made in writing within 28 days of today's date to the Head of Legal & Democratic Services, Inverclyde Council, Municipal Buildings, Greenock, PA15 1LX,

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

LIST OF ACTIVITIES RESOLUTION

Inverclyde Council, Municipal Buildings, Clyde Square, Greenock PA15 1LY, in terms of Section 9 of the above Act, hereby resolve that as from 12 June 2013 the following activities and the provision of Part 2 of the 1982 Act shall have effect within the whole area of Inverclyde Council and the particular activities referred to herein shall require to be licensed and regulated in accordance with the provisions of Section 10-27 (inclusive) and Sections 38 to 44 (inclusive) of the said Act as amended by the Criminal Justice (Licensing) (Scotland) Act 2010 and shall be regulated by those provisions

Activity

Taxis and private hire cabs and their drivers

Second hand dealers

Boat hirers

Street Traders

Market operators

Premises used for public entertainment

Premises used for late hours catering

Window cleaners

A place of public entertainment shall apply to the following classes:-

premises used for public entertainment with the exception of educational establishments

premises owned and managed by Local Authorities

The following activities shall be excluded from the requirement to be licensed.

gala day, fetes and other similar small scale outdoor events of a community nature

school fetes and similar school fundraising events

fetes and similar fundraising events run by any religious bodies

premises used for exhibitions of artwork; and

premises used for oral recitals including poetry reading and story telling.

E.Paterson
Head of Legal & Democratic Services