

PERTH AND KINROSS COUNCIL**Licensing Committee****22 February 2018****CIVIC GOVERNMENT (SCOTLAND) ACT 1982****Reduced Fee for a Public Entertainment Licence for Community Events****Report by Head of Legal & Governance Services****PURPOSE OF REPORT**

This report recommends the adoption of a reduced fee for a Public Entertainment Licence for community events.

1. BACKGROUND / MAIN ISSUES

- 1.1 The Council, as a Licensing Authority, regulates the licensing of various activities under the Civic Government (Scotland) Act 1982 ("the Act"). Under the Act, the Council is required to set a fee for each type of licence. The fees charged across the range of licensing activity under the Act must be sufficient to meet the cost to the Council of carrying out its licensing functions.
- 1.2 One of the activities which is licensed by the Council is public entertainment. Currently, a Public Entertainment Licence is needed for certain kinds of public entertainment where an entry fee is charged. Funfairs fall under the list of activities for which a licence is required. As part of the application process, applicants are required to demonstrate that they have the requisite compliance certificates in place for rides, and public liability insurance.
- 1.3 The current fee for most Public Entertainment Licences is £300 for a 1 year licence and £480.00 for a 3 year licence. There are also some larger events which attract a higher fee.
- 1.4 During 2017, it came to light that many community events such as gala days, fetes and bonfires, although themselves free to enter, had fee paying children's mechanical rides as part of the event. These rides fall under the definition of a funfair and so a Public Entertainment Licence is required. with document compliance certificates for each mechanical ride together with Public Liability Insurance.
- 1.5 A number of representations have been received from community organisations in relation to both the requirement to have a licence, and the amount of the fee. It is evident that many community organisations have limited funds at their disposal. It is also the case that such events are an important part of community life across Perth and Kinross. It is therefore

important that a measured approach is taken to the licensing of such events. Account needs to be taken of the importance of such events, but that also needs to be balanced against the need to ensure public safety.

Against that background, it is considered that the most appropriate way of achieving that balance would be to lower the licence fee for funfairs at community events such as galas, fetes and bonfire nights.

2. PROPOSALS

- 2.1 It is proposed that a reduced fee of £65.00 be introduced for a Public Entertainment Licence for a funfair located within a community event such as a gala, fete or bonfire night, where fewer than five children's mechanical ride(s) are present. This fee would be for a 1 year licence.

3. CONCLUSION AND RECOMMENDATION(S)

- 3.1 It is recommended that the committee approves the introduction of a reduced fee of £65.00 for a 1 year Public Entertainment Licence for a funfair located within a community event such as a gala, fete or bonfire night, where fewer than five children's mechanical ride(s) are present.

Author(s)

Name	Designation	Contact Details
Debra Merchant	Licensing Manager	dmerchant@pkc.gov.uk

Approved

Name	Designation	Date
Lisa Simpson	Head of Legal and Governance Services	9 February 2018

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.

You can also send us a text message on 07824 498145.

All Council Services can offer a telephone translation facility.

1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

Strategic Implications	Yes / None
Community Plan / Single Outcome Agreement	Yes
Corporate Plan	Yes
Resource Implications	
Financial	Yes
Workforce	No
Asset Management (land, property, IST)	None
Assessments	
Equality Impact Assessment	Yes
Strategic Environmental Assessment	None
Sustainability (community, economic, environmental)	None
Legal and Governance	Yes
Risk	None
Consultation	
Internal	None
External	None
Communication	
Communications Plan	None

1. Strategic Implications

Community Plan/Single Outcome Agreement

The proposals set out in this report will support the delivery of the Perth and Kinross Community Plan/Single Outcome Agreement in terms of the following priorities:

- Promoting a prosperous, inclusive and sustainable economy
- Creating a safe and sustainable place for future generations

Corporate Plan

The proposals set out in this report will support the delivery of the Corporate Plan in terms of the following priorities:

- Promoting a prosperous, inclusive and sustainable economy
- Creating a safe and sustainable place for future generations

2. Resource Implications

Financial

- 2.1 It is anticipated that the introduction of a reduced fee will increase the numbers of licences applied for by those running funfairs at community events. The income from fees will be used to meet the cost of processing applications.

Workforce

2.2 Not applicable

Asset Management (land, property, IT)

Not applicable

3. Assessments

Equality Impact Assessment

Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.

The proposals have been considered under the Corporate Equalities Impact Assessment process (EqIA) and are not considered to be relevant.

Strategic Environmental Assessment

Not applicable.

Sustainability

Not applicable.

Legal and Governance

The proposals are compatible with the requirements of the Civic Government (Scotland) Act 1982.

4. Consultation

Internal

4.1 Not applicable

External

4.2 Not applicable

5. Communication

Not applicable

2. BACKGROUND PAPERS

Not applicable

3. APPENDICES

None