**PUBLIC ENTERTAINMENT LICENCE**

In terms of Section 9 (5) (b) and 41 of the Civic Government (Scotland) Act 1982, a licensing authority is required to specify the class of entertainment or recreation for which it will be necessary to hold a Public Entertainment Licence. The former City of Dundee District Council adopted such a list of activities in 1984. At its meeting on 29th March 2018, the Licensing Committee of Dundee City Council decided to propose and amended list of such activities for consultation in terms of Section 9 (6) (A) of the said 1982 Act and this is set out below. It is also proposed that, in certain cases, the requirement for a licence should be extended to include events which are free to enter.

If anyone wishes to make any representation about this proposal, they should write to the Head of Democratic and Legal Services, 21 City Square, Dundee, DD1 3BY within 28 days of today’s date. Any such representations must be considered by the Licensing Committee before it makes a final decision to which activities will require a licence. The Licensing Committee is also obliged to wait at least 9 months from the making of the final decision before this would take effect.

All activities that fall under the definition of a “public entertainment licence”, should be licensed irrespective of whether or not participation in the event is on payment or is free.

The proposed fees would be as follows :

* Under 200 persons attending £250;
* From 201-1 500 persons attending £300;
* From 1501-5000 persons attending £500;
* Over 5000 persons attending £1000;
* Charitable Events Free
* Carnivals / Funfairs £150

|  |  |  |
| --- | --- | --- |
| Current Activity  (Suggested additional categories/changes are in bold italics) | Proposed Action | Reasons |
| Billiard, snooker and pool halls | Retain this category | The majority of the premises providing this activity will be licensed under the Licensing (Scotland) Act 2005 and exempt from public entertainment licensing. However a licence is required if these activities are provided out with core licensed hours. |
| Firework and/or bonfire displays (for fee paying and non-fee paying public displays) | Retain these activities and extend the requirement to include no-fee paying events | All non-fee paying firework displays and bonfires are brought within the licensing scheme it will ensure that relevant health and safety and fire safety requirements are complied with.  The category would apply to any public display only – private parties, weddings etc, would be exempt. |
| Circuses, Carnivals and Fun Fairs, including merry-go-rounds, roundabouts, swings, switchback railways, skittle alleys, coconut shies, hoopla’s, shooting galleries, mechanical riding, driving or boating apparatus, or anything similar to any of the foregoing | Retain these activities and extend the requirement to include no-fee paying events | Licensing of such events will help ensure that all the relevant health and safety requirements are complied with including appropriate risk assessments. It will also ensure that issues such as capacity of premises, stewarding, first aid arrangements, toilet facilities, noise management etc., are addressed through the licensing process. |
| Public dance halls including disco dancing establishments | Retain this activity when not used as a licensed premises as defined by the Licensing (Scotland) Act 2005 and The Licensing Conditions (Late Opening Premises) (Scotland) Regulations 2007 and extend the requirement to include no-fee paying events | Licensing of such events will help ensure that all the relevant health and safety requirements are complied with including appropriate risk assessments. It will also ensure that issues such as capacity of premises, stewarding, first aid arrangements, toilet facilities etc., are addressed through the licensing process. |
| Leisure and sports centres (to include wrestling, boxing, cage fighting and martial arts events) | Retain these activities (where not already covered by an Indoor Sports Entertainment Licence) | Licensing of such events will help ensure that all the relevant health and safety requirements are complied with including appropriate risk assessments. It will also ensure that issues such as capacity of premises, stewarding, first aid arrangements, toilet facilities etc., are addressed through the licensing process. |
| Ice Rinks, Indoor Skate Parks | Retain this activity and extend the requirement to include no-fee paying events | Licensing of such events will help ensure that all the relevant health and safety requirements are complied with including appropriate risk assessments. It will also ensure that issues such as capacity of premises, stewarding, first aid arrangements, toilet facilities, noise management etc., are addressed through the licensing process. |
| Sun Tanning Premises | Premises to be added as they are required to be included on health and safety grounds | Licensing of this activity will ensure that the relevant health and safety requirements are complied with including appropriate risk assessments. Additional conditions could be applied to UVB sun tanning premises. |
| Premises used for laser displays or laser games or paint ball games | Premises to be added as they are required to be included on health and safety grounds | Licensing of such premises will help ensure that all the relevant health and safety requirements are complied with including appropriate risk assessments. It will also ensure that issues such as capacity of premises, staffing levels, first aid arrangements, toilet facilities etc., are addressed through the licensing process. |
| Any public shows of any description whatever (including agricultural shows, flower shows and displays) | Retain this activity and extend the requirement to include no-fee paying events | Licensing of such events will help ensure that all the relevant health and safety requirements are complied with including appropriate risk assessments. It will also ensure that issues such as capacity of premises, stewarding, first aid arrangements, toilet facilities etc., are addressed through the licensing process. |
| Premises used for health and fitness activities, including gymnasia and saunas | Premises to be added as they are required to be included on health and safety grounds | Licensing of such premises will help ensure that all the relevant health and safety requirements are complied with including appropriate risk assessments. Health & Fitness activities are defined as including:   * Gyms * Sports Centres * Fitness Classes * Swimming Pools * Leisure Centres   A club would be deemed to be private only where members hold “continuous annual membership”. Thus a premises which allows guests to be signed in by a club member would require a licence. |
| Indoor Play Areas for Children | Premises to be added as they are required to be included on health and safety grounds | Licensing of such premises will help ensure that all the relevant health and safety requirements are complied with including appropriate risk assessments etc., are addressed through the licensing process. |
| Indoor or open air music concerts (including live band performances, electronic music and musical shows) | Premises to be added as they are required to be included on health and safety grounds and extend the requirement to include no-fee paying events | Licensing of such premises will help ensure that all the relevant health and safety requirements are complied with including appropriate risk assessments etc., are addressed through the licensing process. |
| Water sports (including, Wake Boarding, Water Skiing, Sail Boarding, canoeing and Jet Skiing activities) | Premises to be added as they are required to be included on health and safety grounds when the activity is not licensed as defined by a Boat Hire Licence | Licensing of such premises will help ensure that all the relevant health and safety requirements are complied with including appropriate risk assessments etc., are addressed through the licensing process. |
| Indoor sports Activities (to include Go Carting, Indoor Climbing, Trampolines and bungee catapulting or similar) | Premises to be added as they are required to be included on health and safety grounds (where not covered by an Indoor Sports Entertainment Licence) | Licensing of such premises will help ensure that all the relevant health and safety requirements are complied with including appropriate risk assessments etc., are addressed through the licensing process. |
| Theatre Performances (to include any play, dramatisation, concert or hypnotism act or comedy act) | Premises to be added as they will no longer be licensed under the Theatres Act, which is to be repealed shortly | Licensing of such premises will help ensure that all the relevant health and safety requirements are complied with including appropriate risk assessments etc., are addressed through the licensing process. |
| Mechanical Bowling Alleys | Premises to be added as they are required to be included on health and safety grounds | Licensing of such premises will help ensure that all the relevant health and safety requirements are complied with including appropriate risk assessments etc., are addressed through the licensing process. |
| Any activity involving shooting or archery | Retain this activity and extend the requirement to include no-fee paying events | Licensing of such premises will help ensure that all the relevant health and safety requirements are complied with including appropriate risk assessments etc., are addressed through the licensing process. |
| Community Centres | Retain this activity and extend the requirement to include no-fee paying events | Premises to be added as they are required to be included on health and safety grounds |
| Beauty Treatments (including Teeth Whitening, Nail Salons and massages) | Premises to be added as they are required to be included on health and safety grounds  Teeth Whitening activities and massages will be exempt provided that it is for the purpose of medical treatment and such treatment is being provided under the supervision or direction of a registered medical practitioner and provided within a healthcare establishment. | Premises to be added as they are required to be included on health and safety grounds |
| Escape Rooms (including puzzle and breakout rooms) | Premises to be added as they are required to be included on health and safety grounds | Licensing of such premises will help ensure that all the relevant health and safety requirements are complied with including appropriate risk assessments etc., are addressed through the licensing process. |

|  |  |
| --- | --- |
| The following premises will not require to be licensed under this resolution are those offering any of the following types of entertainment or recreation – | |
| * Premises used for exhibitions | Premises used for exhibitions are likely to be within fixed premises and will be subject to Fire Service and Building Standards regulations. The nature of the activity is also unlikely to cause any public safety or disorder issues. |
| * Lectures and illustrated talks | Premises used for these activities are likely to be within fixed premises and will be subject to Fire Service and Building Standards regulations. The nature of the activity is also unlikely to cause any public safety or disorder issues. |
| * Fashion Shows | Premises used for these activities are likely to be within fixed premises and will be subject to Fire Service and Building Standards regulations. The nature of the activity is also unlikely to cause any public safety or disorder issues. |
| * Any premises mentioned at Section 41(2) of the Civic Government (Scotland) Act 1982 | Premises used for these activities as outlined at Section 41(2) whilst being used for the activities defined in the section. |