

## The Highland Licensing Committee

Meeting - 6 October 2015

Agenda Item	6
Report No	HLC/080/15

### Review of Public Entertainment Licence Activities – Additional Activity

#### Summary

This Report invites the Committee to consider an additional activity in relation to the review of public entertainment licensable activities.

#### 1.0 Background

1.1 At its meeting held on 11<sup>th</sup> August 2015 the Licensing Committee agreed to amend the list of activities it licenses under public entertainment.

#### 2.0 Theatres Act

2.1 At present, any person(s) who wish to carry out a public performance of a play require to hold a licence under the Theatre's Act 1968 in relation to the premises.

2.2 In addition, any premise which is licensed under the Theatres Act is exempt from the requirement to hold a public entertainment licence by virtue of Section 41(2)(d) of the Civic Government (Act) 1982

2.3 The entry into force of a new piece of legislation, the Air Weapons and Licensing Act 2015, will see the provisions of the Theatres Act 1968 which deal with the licensing of premises for the public performance of plays repealed and the abovementioned exemption in Section 41(2)(d) of the Civic Government Act removed.

2.4 The effect of this is that the use of premises for the performance of plays may now be included in the activities which may be licensed under the public entertainment section of the 1982 Act.

2.5 There has been no commencement dated issued yet by the Scottish Parliament as to when the abovementioned amendments will come into effect.

#### 3.0 Numbers of Current Theatres Act Licences

3.1 The administration and enforcement of the Theatres Act licensing regime is currently undertaken by the Council's Environmental Health Service. There are currently 9 annual Theatres Act licences and 1 occasional licence in force.

#### **4.0 Public Entertainment Licensing Resolution**

**4.1** Given that the Committee are currently amending the resolution covering public entertainment activities it is suggested that Members may, at the same time, wish to consider including the use of premises for the performance of plays as an activity which would be licensed under public entertainment where there is a charge to the public for attending the event.

**4.2** If the Committee is minded to include this activity it will be added to the advertisement inviting the public to submit representations in relation to the proposed changes.

#### **5.0 Recommendation**

**5.1** The Committee is invited to consider including the use of premises for the performance of plays as an activity which would be licensed under public entertainment where there is a charge to the public for attending the event.

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Background Papers: Civic Government (Scotland) Act 1982