

## **APPLYING FOR A PUBLIC ENTERTAINMENT LICENCE**

### **Do I need a licence to have an event with public entertainment?**

A public entertainment licence is required when members of the public pay admission to or pay to use any facilities for the purposes of entertainment or recreation.

### **Why do I need a licence?**

The licensing system is in place to ensure public safety. Every person who applies for a licence is assessed to see if they are “fit and proper” to have a licence.

### **Premises that would require a Public Entertainment Licence From 1 July 2019 :-**

- Community Centres
- Children’s Activity Centres
- Public Halls
- Church Halls (when not being used for purposes connected with the religious body owning or occupying the hall)
- Ice Rinks
- Private Halls
- Educational Establishments (when not being used for the purposes of education)
- Leisure and Sports Centres/Grounds (when not being used for sporting purposes)
- Agricultural/Estate land whilst not being used for such
- Parks
- Proprietary Clubs e.g. Golf Clubs, Bowling Clubs (when not being used for these purposes)
- Licensed Premises within the meaning Licensing (Scotland) Act 2005
- Circuses/Fairground/s
- Theatres
- Marquees

### **Proposed activities that would require a Public Entertainment Licence**

- Dances e.g. Barn Dances, Ceilidh’s, Disco’s
- Fighting, e.g. Boxing/Cage Fighting or wrestling
- Concerts
- Ice Skating
- Activity involving inflatable structures
- Activity involving Assault courses
- Indoor/Outdoor play areas
- Equestrian activities, e.g. Show jumping/dressage, cross country
- Fairground ride/s
- Go-Karting
- Theatrical performances (plays, musicals etc.)

### **Are there exemptions?**

Yes. The following premises are exempted from the provisions of the Act and do not require to be licensed:-

- (a) an athletic or sports ground while being used as such
- (a) premises licensed under Section 41(a) of this Act for Indoor Sports Entertainment
- (b) an educational establishment while being used as such
- (c) premises belonging to or occupied by any religious body while being used wholly or mainly for purposes connected with that body
- (d) premises licensed under the Theatres Act, 1968, Section 1 of the Cinemas Act, 1985 or Part II of the Gaming Act, 1968 (Bingo Halls)
- (e) premises having a permit under Section 16 of the Lotteries and Amusements Act, 1976 while being used in pursuance of the permit
- (f) licensed premises within the meaning of the Licensing (Scotland) Act, 2005 during the permitted hours
- (g) premises where amusement with prizes machines are being provided for entertainment or amusement incidental to the main purpose or use of the premises where that main purpose or use is not as a place of public entertainment.

### **Who can apply?**

Any person, company or partnership can apply.

### **Is there an age limit?**

No.

### **Will I require any other permission or consent?**

It is in your interest, to check with The Environment Service – Planning, Pullar House, 35 Kinnoull Street, Perth PH1 5GD to ensure that you have the necessary planning consent and if not to make the appropriate planning application.

If you are not the owner of the premises or site where the event is to take place you will also require permission to occupy the site.

### **How do I apply?**

An application form must be completed. Please complete the form in full. The application form must be accompanied by the fee, a location map and layout site plan of the event and a copy of your permission to occupy the site.

You can send us your completed application or hand it into Pullar House, 35 Kinnoull Street, Perth, PH1 5GD.

### **When do I apply for a renewal of my licence?**

An application form must be submitted before the expiry of your current licence.

### **Do I need to display a site notice?**

Yes. A site notice must be displayed at the premises or site for a continuous period of 21 days, in a position where it can be easily read, from the date of submission of your application. Once the 21 day period has lapsed, you must complete the Compliance Notice and return this to the Licensing Department.

### **How long does a licence last?**

A licence can be for a temporary event or for either 1 year or 3 years.

### **How much does it cost?**

The application fees are based on the type of premises or capacity of an event as follows:-

<b>Premises/Capacity of Event</b>	<b>Temporary or 1 Year</b>	<b>3 Years</b>
Community and Village Halls	£189	£250
Capacity <200	£189	£250
Capacity 201 - 1500	£301	£367
Capacity 1501 - 5000	£729	£836
Capacity 5001 - 20000	£1566	£2086
Capacity >20000	£3126	£4167
Funfair	£311	£500

### **How can I pay?**

Perth & Kinross Council accepts cards, cash and cheque payments. Cheques should be made payable to Perth and Kinross Council. Card payments can be made over the phone or in person at Pullar House. Cash payments can be made at a cash desk at Pullar House. Please do not send cash in the post.

### **How long does it take for me to get a licence?**

By law we have 6 months to deal with an application. However, we aim to deal with applications in around **6 weeks**. Your application will not be processed until all relevant documentation has been submitted. Please use the checklist on the application form to make sure you have sent us everything. Failure to do so may result in your application being return to you.

If we receive objections, representations or information about you from Police Scotland, Scottish Fire & Rescue Service, The Environment Service or Planning, it will take longer to deal with your application.

### **I have applied for a licence – what happens now?**

Your application is entered into our database. We then send your information to Police Scotland, Scottish Fire & Rescue Service, The Environment Service and Planning. We allow them 28 days to consider your application.

You will get an acknowledgement letter together with a receipt in respect of the licence fee submitted.

### **Why do you send my application to the police?**

Everyone who applies for a licence is assessed to make sure they are suitable to hold a licence. Part of that assessment involves looking at whether you have criminal convictions or whether the police hold other information about you which might suggest that you are not suitable. This is an important safeguard in protecting the public as many licence holders are in positions of trust or in jobs where public safety is very important.

### **What happens once we have all of the information we need?**

Once we have received responses and your compliance notice, we can then decide whether to grant your licence. If you are applying for hours outwith the current policy and/or there are objections, representations or other information received whereby the Licensing Department are unable to grant your licence, then your application will be sent to the Licensing Committee.

### **What is the Licensing Committee and why would I need to attend?**

The Licensing Committee is made up of Councillors. You will be invited to attend the Licensing Committee if your application cannot be dealt with by staff within the Licensing Department. This is usually due to an objection or representation being received from the police.

The Committee meets every 6 weeks. We have a separate leaflet regarding attendance at the Committee which you should read if you are asked to attend.

### **Can the Council attach conditions to a public entertainment licence?**

Yes. The Council may attach conditions to a public entertainment licence as follows:-

- (a) restricting the use of the premises;
- (b) limiting the number of persons to be admitted to the premises;
- (c) fixing the days and times when the entertainment may take place and may also impose any other relevant conditions.

### **Why would a licence be refused?**

The law allows us to refuse your application in certain circumstances. A decision to refuse a licence will only be made by the Licensing Committee and not the Licensing Department.

The most common reason for refusing to grant a licence is that the person is considered to be not suitable, or "fit and proper" to have a licence.

### **Do I receive a full refund if I am refused a licence?**

No, as your licence has been processed fully. However, if you applied for a 3 years licence you will be refunded the difference between a 1 year and 3 year licence.

**If I am not from the UK can I still get a licence?**

Yes. However, if you have not lived in the UK for at least 10 years you will need to get a Certificate of Good Conduct or Criminal Record Certificate from your country of origin. This is so we can make sure we have the same information about your criminal record as we have for people who have lived in the UK for 10 years. You should contact your Embassy or Consulate to find out how to do this. If the information you get is not produced in English you will need to arrange for it to be translated. You will have to meet the cost of getting this information, along with the cost of any translation.

**Who should I contact if I have any further queries relating to public entertainment licences?**

Telephone 01739 475180 or e-mail [civiclicensing@pkc.gov.uk](mailto:civiclicensing@pkc.gov.uk).

**Where should I send my completed application?**

Corporate and Democratic Services – Legal and Governance Services  
Perth and Kinross Council  
Pullar House  
35 Kinnoull Street  
Perth  
PH1 5GD