

Civic Government (Scotland) Act 1982

Public Entertainment Licence

Guidance Notes

The Civic Government (Scotland) Act, 1982, Section 41 requires places used for Public Entertainment to be licensed.

You Require a Public Entertainment Licence Where :-

- members of the public are admitted or may use your facilities for the purposes of entertainment or recreation, and

the entertainment or recreation takes place in one of the following types of venue:-

- Public and Private Halls.
- Clubs,
- Barns, Fields, grazing's, parkland and other Agricultural premises and land
- Marquees and other temporary erections.
- Any venue where sporting activities of the type included in the list above (Classes of Activity) can take place.
- Warehouses, industrial units, and industrial land.
- Indoor Shopping Centres, Arcades and Malls.
- Factories and other Industrial Premises.
- All Public Places (as defined in Section 133 of the Civic Government (Scotland) Act, 1982.
- Athletic and Sports Grounds, while not being used as such.
- Educational establishments, while not being used as such.
- Premises belonging to or occupied by any religious body, while not being used wholly or mainly for purposes connected with that body.
- Premises in respect of which there is a permit under Gambling Act 2005, or any replacement or amending legislative provision, while not being used in pursuance of the permit.
- Premises holding a premises licence within the meaning of the Licensing (Scotland) Act 2005 or any replacement or amending legislative provision in which Public Entertainment is being provided outwith the permitted hours within the meaning of that Act.
- Private Car Parks.
- Rivers, lochs, lakes, lagoons, and other waterways.

The following types of entertainment require a licence :-

- All performances of live and recorded music with or without any form of dancing.
- Film screenings, Plays, Dramatic Productions, and other live performances.
- Fireworks displays, pyrotechnic, light and laser shows.
- Fetes & Galas, Highland Games, and agricultural shows or festivals.
- Fun Fairs Circuses and carnivals.
- Paint Ball, Airsoft, Laser tag & laser Games, War Games; imitation or replica firearms target shooting; firearms simulations, Archery & crossbow target shooting; axe, knife or implement throwing.
- Bungee Jumping, abseiling, ice or rock climbing involving artificial or man made climbing surfaces.
- All activities involving the use, to any extent, of motorised vehicles or vessels.
- Simulators, fairground type rides (when not part of a funfair or carnival), bouncy castles and other inflatable amusements.
- Activities involving the use of remote control vehicles, vessels, aircraft, drones or rockets.
- Indoor and outdoor sporting events [subject to exemptions contained within the Civic Government (Scotland) Act, 1982].

How to Apply for a Licence

Completed applications can be submitted directly by:

- email to: licensing@clacks.gov.uk (as a singular signed PDF/word file)
- in person to the [Speirs Centre or Kilncraigs](#)
- by post to: Clackmannanshire Council, Licensing Team, Kilncraigs, Greenside St, Alloa, FK10 1EB

Each application must be accompanied by payment. This can be made at the Speirs Centre, Kilncraigs or online via our Pay It page which can be found at: [_https://www.clacks.gov.uk/council/payit/](https://www.clacks.gov.uk/council/payit/)

- You can apply for a 3 year licence or for a temporary licence. A temporary licence would suit a one-off event or an event which will happen only once every year, it can be granted for up to 42 days. You should apply for a licence **at least 12 weeks before** the event to give us enough time to consider it.
- You should complete the application form digitally or in pen answering all questions fully, using a separate sheet if necessary.
- The application must be accompanied by a layout plan which shows the layout/detail and dimensions of the premises/area to be licensed, and the location of the premises on a map.
- A site notice must be displayed where the event is to take place. The notice must stay in place for a continuous period of **21 days** from the date you submit your application. You will have to confirm that you have done this by sending us a Certificate of Compliance. The site notice and certificate of compliance you must use are attached to the application form. **You do not have to display a site notice for a temporary licence.**

IMPORTANT NOTICE

Any person who in or in connection with the making of this application makes any statement which they know to be false or recklessly makes any statement which is false in a material particular shall be guilty of an offence.

Data Protection Act 2018

The information which you provide on this form will be processed by Clackmannanshire Council, which is the 'data controller' for the purposes of the General Data Protection Regulation and the Data Protection Act (2018). For more information on how this application is handled, please see the Licensing Authorities data protection [policy](#) which can be found at www.clacks.gov.uk/regulation/dataprotectionpolicy/

Licence Holder Checklist

Completed Application Form	<input type="checkbox"/>
Public Liability Insurance	<input type="checkbox"/>
General Risk Assessment	<input type="checkbox"/>
Fire Risk Assessment	<input type="checkbox"/>
Safety Certificates for Equipment (if applicable)	<input type="checkbox"/>
Layout plan of the premises, or area to be licensed	<input type="checkbox"/>

THIS LIST IS NOT EXHAUSTIVE. THERE MAY BE OTHER DOCUMENTATION REQUESTED.



**Civic Government (Scotland) Act 1982
Public Entertainment Licence - Application Form**

Tick one Box Only below – Is this application for

Public Entertainment Licence - GRANT	<input type="checkbox"/>
Public Entertainment Licence - RENEWAL	<input type="checkbox"/>
Public Entertainment Licence - TEMPORARY	<input type="checkbox"/>

FOR TEMPORARY LICENCE APPLICATIONS ONLY. Full description of Event –

This section should contain a detailed description of all activities taking place, for which the licence is required. Please continue on a separate sheet if necessary

Empty box for detailed description of event.

1. Applicant Details

Applicant Details: Please tick to below confirm which applies to the licence holder

Individual (Includes Sole Trader)	<input type="checkbox"/>	Limited Company	<input type="checkbox"/>	Partnership (either formal or informal)	<input type="checkbox"/>
Full Name of Licence Holder (including any middle names):	First Name:		Last Name:		
Full Name of Company/Partnership (If applicable):					
Licence Holder Address (including postcode):	Postcode:				
Telephone Number:					
Email Address:					
Age, Date & Place of Birth	Years	Date of Birth	Place of Birth		
Is the Licence Holder to carry out day-to-day management of the business? (tick one box only)	Yes	<input type="checkbox"/>	No	<input type="checkbox"/>	
If NO, give full name, address, date of birth & phone number of employee or agent who will be involved in the management					

The Civic Government (Scotland) Act 1982 requires the licence to be granted in joint names where a day-to-day manager who is not the applicant has been appointed.

2. Premises/Event Details

<p>Full Name and Postal Address (including postcode) of the premises to be licensed.</p>				
<p>Please Provide Full details of the Owner of the Premises</p>				
<p>Specify days and times during which public entertainment may be provided. (for Temporary Applications also provide dates)</p>				
<p>Specify the maximum number of persons that will be permitted on the premises at any time.</p>				
<p>Has any party referred to in section 1 or 2 above, ever been refused a Public Entertainment Licence in Scotland?</p> <p>If yes provide further detail (when, what Licensing Authority and what type of Public Entertainment the application related to)</p>	<p>Yes</p>	<input type="checkbox"/>	<p>No</p>	<input type="checkbox"/>
<p>Amount of Public Liability Insurance. (£'s)</p>				
<p>Please confirm that you have the appropriate Planning Consent for the use you propose for the premises (if required).</p>	<p>Yes</p>	<input type="checkbox"/>	<p>No</p>	<input type="checkbox"/>
<p>Will special effects be used on the premises e.g lasers, pyrotechnics and smoke machines?</p>	<p>Yes</p>	<input type="checkbox"/>	<p>No</p>	<input type="checkbox"/>
<p>If YES, please provide details</p>				
<p>Please provide the name and address of any external catering providers.</p> <p>Please also provide the name of the local authority where they are registered as a food business operator.</p>				
<p>Details of procedures for clearing refuse during and after events on the premises:</p>				
<p>Details of First Aid Provisions:</p>				
<p>Details of Stewarding Provisions:</p>				

3. Types of Entertainment to be provided (Please Tick all that apply):

All performances of live and recorded music with or without any form of dancing.	<input type="checkbox"/>
Fetes & Galas, Highland Games, and agricultural shows or festivals.	<input type="checkbox"/>
Fun Fairs Circuses and carnivals.	<input type="checkbox"/>
Paint Ball, Airsoft, Laser tag & laser Games, War Games; imitation or replica firearms target shooting; firearms simulations, Archery & crossbow target shooting; axe, knife or implement throwing.	<input type="checkbox"/>
Bungee Jumping, abseiling, ice or rock climbing involving artificial or man-made climbing surfaces.	<input type="checkbox"/>
All activities involving the use, to any extent, of motorised vehicles or vessels.	<input type="checkbox"/>
Simulators, fairground type rides (when not part of a funfair or carnival), bouncy castles and other inflatable amusements.	<input type="checkbox"/>
Activities involving the use of remote control vehicles, vessels, aircraft, drones or rockets.	<input type="checkbox"/>
Indoor and outdoor sporting events [subject to exemptions contained within the Civic Government (Scotland) Act, 1982].	<input type="checkbox"/>
Fireworks displays, pyrotechnic, light and laser shows.	<input type="checkbox"/>
Film screenings, Plays, Dramatic Productions, and other live performances.	<input type="checkbox"/>

4. Convictions

Please Read Carefully – DO NOT LEAVE THIS SECTION BLANK

The Rehabilitation of Offenders Act 1974 does not prevent the Licensing Authority considering “spent” convictions for this type of licence unless they are “protected” convictions.

You must include details of all unprotected convictions for all persons referred to in this application

Please note that it is an offence if you fail to disclose convictions.

If there are NO convictions to disclose please write “NONE” clearly in the box below.

If you are unsure whether or not you should disclose certain convictions you should take professional legal advice as the Licensing Authority will not be able to assist you with advice or guidance in relation to this matter.

If you are uncertain about the details of your convictions an application can be made to Police Scotland to have these provided.

Conviction details

Name of person, Offence or Offence Code	Date	Court	Sentence

5. Declarations

I confirm that I (the applicant), have ensured that the following documents are held in relation to this application and can be provided to the Licensing Authority upon request:
(Please tick each box to confirm)

Public Liability Insurance	<input type="checkbox"/>
Suitable and Sufficient Health and Safety Risk Assessments	<input type="checkbox"/>
Suitable and Sufficient Fire Risk Assessment and Emergency Evacuation Plan	<input type="checkbox"/>
Current Safety Certificates for all Equipment (for example, PIPA, ADIPS, PAT, EICR, Gas Safety Certificates, etc)	<input type="checkbox"/>
Current Food Hygiene Certificate's, Certificates of Compliance and confirmation of Registration as a Food Business Operator for all providers.	<input type="checkbox"/>

I declare that the particulars given by me on this form are correct to the best of my knowledge and belief.	<input type="checkbox"/>
I have read and understand the Standard Public Entertainment Licence Conditions prior to submitting this application.	<input type="checkbox"/>
I have provided a copy of the layout plan for the premises/ area to be licensed.	<input type="checkbox"/>

Signature	
Print Name	
Date	

Each application must be accompanied by the appropriate application fee. Please indicate how this has been paid. Current fees can be found at:

<https://www.clacks.gov.uk/site/documents/guides/registerofchargesbooklet/>

Amount paid	
Method of payment	
Payment Date	
Receipt number (if paid online)	

Completed forms can be submitted directly by:

- email to: licensing@clacks.gov.uk (as a singular signed PDF/word file accompanied by proof of payment)
- in person to the [Speirs Centre](#) or [Kilncraigs reception](#)
- by post to: Clackmannanshire Council, Licensing Team, Kilncraigs, Greenside St, Alloa, FK10 1EB

Payment can be made at the [Speirs Centre, Kilncraigs](#) or [online via our Pay It page which can be found at: <https://www.clacks.gov.uk/council/payit/>](#)

If you require any further information please contact :
Licensing on tel: **01259 450000** or
by email at: licensing@clacks.gov.uk

Public Entertainment Licence Display Notice

I, the undersigned hereby declare that an application for the grant/renewal of a Public Entertainment Licence has been made to Clackmannanshire Council, Kilncraigs, Alloa.

A copy of the application form lodged with the Council is displayed opposite.

Any objection or representation relating to the application should be made to Partnership & Performance, Clackmannanshire Council, Kilncraigs, Alloa, FK10 1EB by *

Any objection or representation must:

- be made in writing,
- specify the ground for the objection or the nature of the representation,
- specify the name and address of the person making it,
- be signed by him or on his behalf.

Such a representation shall be considered to have been made within the period referred to. If it is delivered by hand or posted within that period (by registered or recorded delivery post) so that in the normal course of post it might be expected to be delivered within that period or emailed to licensing@clacks.gov.uk prior to the date detailed above.

It should also be noted that where an objection or representation is made to the Council after the date referred to but before a final decision is taken on the application, it is competent for the Council to entertain it if satisfied that there is sufficient reason why the objection or representation was not made within the period of time stated.

Signature of Applicant or Agent	
Print Name	
Date	

*The date stated should be the Twenty First day after the latest of the following: -

- (a) the date of publication by the Council of a notice in a newspaper of the application where the form of licence falls within a prescribed class;
- (b) the date (if any), specified by the Council; and
- (c) the date the application was made to the Council.

The Site Notice must be displayed for the whole of the period of Twenty One days at or near the premises so that it can be conveniently read by the public.

Public Entertainment Licence Confirmation of Site Notice

Full name of Applicant/Agent & address (include postcode)	
Name & Address of premises (include postcode)	

As required under Schedule 1 to the above Act. I hereby certify that:			
A Notice has been posted at or near the premises			<input type="checkbox"/>
Date From:		Date to:	

Please provide details and circumstances below if the Notice was removed, obscured or defaced during the above mentioned period:
Please provide details and circumstances below if you have been unable to post or email the Notice as required to the Licensing Authority under Schedule 1 to the above Act:

Signature	
Print Name	
Date	

**AFTER a Site Notice has been displayed for 21 days
To be completed and returned to: Licensing, Clackmannanshire Council, Kilncraigs, Alloa, FK10 1EB,**

Completed forms can be submitted directly by:

- email to: licensing@clacks.gov.uk (as a singular signed PDF/word file)
- in person to the Speirs Centre or Kilncraigs
- by post to: Clackmannanshire Council, Licensing Team, Kilncraigs, Greenside St, Alloa, FK10 1EB