

5. CIVIC GOVERNMENT (SCOTLAND) ACT 1982 - PUBLIC ENTERTAINMENT AND THEATRE LICENSING

The Panel considered a report (copies of which had been circulated) by the Head of Corporate Services advising of changes to legislation regarding theatre licensing which would impact on the public entertainment licensing scheme.

The report advised that the Air Weapons and Licensing (Scotland) Act 2015 provided for changes to be made to the Civic Government (Scotland) Act 1982. The Air Weapons and Licensing (Scotland) Act 2015 (Commencement No.9 and Transitional Provisions) Order 2019 introduced the provisions which would lead to the repeal of the Theatres Act 1968 and allow theatre licensing to be included in the council's public entertainment licensing resolution.

Theatres were currently licensed under the Theatres Act 1968 but all licences granted under that Act would come to an end on 27 January 2021. West Lothian currently had three premises permanently licensed under the 1968 Act. In addition over the years there had been a number of applications for temporary theatre licences for particular events.

The new legislation would allow councils to consider licensing theatre premises under the public entertainment licensing provision of the 1982 Act. Due to other legislative changes the council's public entertainment resolution which set out the various types of activities would require to be amended to delete adult entertainment as a new scheme for licensing sexual entertainment venues had been introduced.

These changes would also allow the council an opportunity to fully review the terms of the current public entertainment resolution.

The report recommended that the Panel note:

1. The legislative changes to theatre licensing;
2. The requirement for the council to amend the public entertainment licensing resolution due to other new legislation; and
3. That as a result of these changes the Council Executive would be asked to consider authorising the Chief Solicitor to undertake a full review of the council's public entertainment licensing scheme including public consultation regarding proposed changes to the terms of the resolution, licensing conditions and application fees.

Decision

1. To note the contents of the report.
2. To agree that the report and its recommendations be forwarded to the next appropriate meeting of the Council Executive for approval.