

Notice of Meeting and Agenda

Regulatory Functions Board

Date	Time	Venue
Wednesday, 22 May 2019	10:00	Council Chambers (Renfrewshire), Council Headquarters, Renfrewshire House, Cotton Street, Paisley, PA1 1AN

KENNETH GRAHAM
Head of Corporate Governance

Membership

Councillor Eddie Devine: Councillor Audrey Doig: Councillor Lisa-Marie Hughes:
Councillor Alistair Mackay: Councillor Cathy McEwan: Councillor Kevin Montgomery:
Councillor Andy Steel: Councillor Jane Strang:

Councillor John McNaughtan (Convener): Councillor Emma Rodden (Depute Convener):

Further Information

This is a meeting which is open to members of the public.

A copy of the agenda and reports for this meeting will be available for inspection prior to the meeting at the Customer Service Centre, Renfrewshire House, Cotton Street, Paisley and online

at <http://renfrewshire.cmis.uk.com/renfrewshire/CouncilandBoards.aspx>

For further information, please either email

democratic-services@renfrewshire.gov.uk or telephone 0141 618 7112.

Members of the Press and Public

Members of the press and public wishing to attend the meeting should report to the customer service centre where they will be met and directed to the meeting.

Apologies

Apologies from members.

Declarations of Interest

Members are asked to declare an interest in any item(s) on the agenda and to provide a brief explanation of the nature of the interest.

1 Review of Licensing of Housing in Multiple Occupation (HMO) 1 - 12

Report by Director of Finance & Resources.

2 Sexual Entertainment Venue Licensing 13 - 20

Report by Director of Finance & Resources.

EXCLUSION OF PRESS AND PUBLIC

The Board may by resolution exclude the press and public from the meeting during consideration of the following items of business as it is likely, in view of the nature of the business to be transacted, that if members of the press and public are present, there could be disclosure to them of exempt information as defined in paragraph 3 of Part I of Schedule 7A of the Local Government (Scotland) Act, 1973.

3 Grant of a Private Hire Driver's Licence - Personal Appearance

Submit the undernoted application for grant of a Private Hire Car Driver's Licence. The applicant has been asked to appear personally for the first time: -

Craig Callery

4 Application for Variation of a Taxi Operator's Licence – Personal Appearance

Submit the undernoted application for variation of a Taxi Driver's Licence. The applicant has been asked to appear personally for the first time: -

Alexander Gordon - TX066

5 Applications for Exemption Certificates – Personal Appearances

Submit the undernoted applications for Exemption Certificates.
The applicants have been asked to appear personally for the first time: -

(a) Alexander Gordon

(b) David Snell

(c) Thomas Robertson

(d) Christopher McMillan

(e) John Sandells

(f) Glen Gordon

**6 Application for Landlord Registration – Application
Number REN-0470115-19 - Personal Appearance**

Submit the undernoted application for Landlord Registration.
The applicant has been asked to attend for the first time together
with Police Scotland: -

David Houston

**7 Proposed Public Procession – Saturday 1 June 2019 -
Personal Appearance**

Submit notification of proposed Public Procession – Saturday 1
June 2019. The applicant has been asked to attend for the first
time together with M McElhinney who has submitted an
objection on behalf of the Renfrewshire Community Council
Forum: -

Geoffrey Prior, Secretary, Apprentice Boys of Derry, Linwood
Branch

Adjournment

The meeting will adjourn following consideration of item 7 and
reconvene at 1.00 pm.

**8 Hearing into the Possible Suspension or Revocation of
a Booking Office Licence BO – 003 - Personal
Appearance**

Consider the possible suspension of a Booking Office Licence.
The Licence holder has been asked to appear personally for the
first time together with Ms Angela McCormack: -

9 Applications for Late Hours Catering Licences

Submit the undernoted applications for the renewal of Late Hours Catering Licences: -

(a). Applicant: McDonald's Restaurants Limited
Premises: Phoenix Retail Park, Linwood Road, Paisley
Operating Hours: Monday-Sunday 11.00 pm – 5.00 am.

(b) Applicant: JD Wetherspoon plc
Premises: T1 International Departure Lounge (Airside) Glasgow Airport, Paisley
Operating Hours: Monday-Sunday 11.00pm – 5.00 am.

(c) Applicant – Malthurst Limited
Premises: Malthurst Elderslie, Main Road, Elderslie
Operating Hours: Monday-Sunday 11.00 pm – 5.00 am.

10 Application for Renewal of Second Hand Dealers Licences

Submit the undernoted applications for the renewal of Second Hand Dealers Licences: -

(a) Applicant: Ramsdens Financial Limited
Premises: 8 Moss Street, Paisley
Authorised goods: Jewellery

(b) Applicant: Ramsdens Financial Limited
Premises: Unit 13, Intu Braehead Shopping Centre, Kings Inch Road, Glasgow
Authorised goods: Jewellery.

To: Regulatory Functions Board
On: 22 May 2019

Report by: Director of Finance & Resources

Heading: Review of Licensing of Houses in Multiple Occupation (HMO)

1. Summary

- 1.1 Officers have carried out a review of the Council's Houses in Multiple Occupation Scheme and the Licensing Conditions. This has resulted in proposed revised Conditions and the preparation of a streamlined Benchmark Standards for Houses in Multiple Occupation which is recommended for the Board's approval.
- 1.2 The proposed Conditions reflect recent changes to tenancy and housing law as well as seeking to facilitate better enforcement of HMO Licences.
- 1.3 The proposed Benchmark Standards is a full-scale revision of the Scheme which allows the applicants for these licences to better understand the standards and expectations of Renfrewshire Council. The Benchmark Standards will also facilitate better regulation of HMO Licences.
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2. Recommendations

- 2.1 To approve the Licensing Conditions for a House in Multiple Occupation as set out in Appendix 1 with the Conditions being applied to all applications for a Houses in Multiple Occupation Licence received after 1 July 2019;
- 2.2 To approve the Benchmark Standards for a House in Multiple Occupation as set out in Appendix 2 with the Benchmark Standards being applied to all applications for a House in Multiple Occupation Licence received after 1 July 2019 relative to Condition 1 of the Conditions proposed in paragraph 2.1; and

- 2.3 To instruct officers to make any necessary changes to the HMO licensing application procedures and practices as required to implement the Conditions and Benchmark Standards.

3. **Background**

- 3.1 In 1991, Local Authorities were given a discretionary power to introduce licensing of Houses in Multiple Occupation under the Civic Government (Scotland) Act 1982. In 2000, an Order made under the 1982 made it mandatory for all Local Authorities to introduce an HMO licensing regime. The Housing (Scotland) Act 2006 moved the regulation of HMOs into housing legislation to allow better strategic links with other housing policy.
- 3.2 On 2 October 2003, the Regulatory Functions Board approved the Licensing of Houses in Multiple Occupation Scheme and Licensing Conditions which currently apply. Both the Scheme and Licensing Conditions were based on recommendations found in the Scottish Government's "Mandatory Licensing of Houses in Multiple Occupation: Statutory Guidance for Local Authorities", first published in 2000.
- 3.3 Both the Scheme and the Conditions have undergone piecemeal changes following updates to the "Statutory Guidance for Local Authorities". The Scheme, as it stands, replicates a significant portion of the statutory guidance and legislative provisions. Given changes to housing and tenancy law, the Scheme and the Conditions now require to be updated. Accordingly, officers have now undertaken a full review of the Scheme and the Conditions not only to update the documents but also to revise these to make it clear what standards are expected of licence holders by Renfrewshire Council. This will facilitate better regulation of HMO Licences issued by Council.
- 3.4 Officers recommend replacing the Scheme with the Benchmark Standards found in Appendix 2. The current Scheme copies parts of the Statutory Guidance word for word. In contrast, the Benchmark Standards advises that the standards found in the Statutory Guidance must be complied with and also provides additional standards which must also be complied with. This will ensure that the Benchmark Standards remain up to date should the Statutory Guidance be revised. The Conditions found in Appendix 1 includes a condition that the Benchmark Standards must be adhered to.
- 3.5 The proposals would remove some provisions in relation to other legislative regimes. As with any licensing regime, care should be taken to ensure that other statutory provisions unrelated to HMO licences are not enforced through the HMO licensing regime. The current Scheme contains detailed provisions in relation to health and safety, product safety and food safety, which have been removed. Instead, the proposed Benchmark Standards provide an expectation that applicants

are aware of their obligations in relation to health and safety, product safety and food safety.

- 3.6 The other major change relates to the fire safety provisions. The fire safety provisions contained in the HMO scheme are duplicated from previous Statutory Guidance. These recommendations have been superseded by a variety of different guidance from the Scottish Government including the *Practical Fire Safety Guidance for Small Premises Providing Sleeping Accommodation* and *Practical Fire Safety Guidance for Medium and Large Premises Providing Sleeping Accommodation*. These recommendations fall within the remit of the Scottish Fire and Rescue Service. As stated in the current Statutory Guidance, fire safety is principally dealt with through the Fire (Scotland) Act 2005 and section 71 of the Fire (Scotland) Act 2005 restricts the extent to which licensing regimes can deal with fire safety. Accordingly, following consultation with Scottish Fire and Rescue Service, a new provision is contained in the Benchmark Standards at Standard BS4.
- 3.7 It is recommended that these changes are approved with effect for all new applications received after 1 July 2019.

Implications of the Report

1. **Financial – none**
2. **HR & Organisational Development - none**
3. **Community Planning –**
Building strong, safe and resilient communities – The improvement of the licensing regime will help contribute to safer communities.
4. **Legal - none**
5. **Property/Assets – none**
6. **Information Technology – none.**
7. **Equality & Human Rights -**

The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report and each application would be considered against these specific impacts. If required following implementation, the actual impact of the recommendations and the

mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

8. **Health & Safety** – None.
9. **Procurement** – None
10. **Risk** - the decision to adopt the policy itself carries minimal risk. However, any decision to refuse an application following adoption of the policy may result in interested parties appealing a decision of the Board to the Sheriff Court.
11. **Privacy Impact** – none
12. **Cosla Policy Position** – not applicable

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Housing (Scotland) Act 2006

Licensing Conditions for Houses in Multiple Occupation

1. The licence holder must take steps to ensure that the premises, fittings and furniture, including fire precautions, equipment, plumbing, gas, electrical installations, and appliances are maintained throughout the period of the licence to standard required by Renfrewshire Council Benchmark Standards for Houses in Multiple Occupation (the "Benchmark Standards") and that the property remains at all times wind and water tight.
2. The licence holder must hold certificates required by the Benchmark Standards including safety certificates for heaters, certificates for the electrical system, PAT certificates, and gas safety certificates. The licence holder shall at all times be in a position to exhibit such documents on demand to the licensing authority. Where any certificate is due to expire during the term of the licence this must be renewed so that there is no break in continuity of certification.
3. The premises shall be provided with:
 - a. adequate means of escape in case of fire;
 - b. adequate means of ensuring that the means of escape can be safely and effectively used at all times;
 - c. adequate and suitable firefighting equipment;
 - d. a suitable fire detection and alarm system complying with relevant legislative standards;
4. The licence holder must ensure that advice to occupiers on action to be taken in the event of an emergency is clearly and prominently displayed within the premises.
5. The licence holder shall ensure that the premises at all times be structurally sound and by their nature be capable of carrying all loads imposed on them in compliance with the relevant British Standards in relation to loading of buildings.
6. All battery operated CO alarms installed in the premises must be replaced every five years.
7. Liquid Petroleum Gas (LPG) must not be used or stored in the premises.

8. The licence holder shall ensure that there is adequate insurance cover in place in respect of the premises. The property must be insured for its full reinstatement value. Public liability insurance cover should be held in the sum of £5 million.
9. The licence holder shall ensure that no alterations be permitted to the premises without the written permission of the licensing authority.
10. When there is any change to the information supplied to the licensing authority, including home address and contact details, the licence holder must notify Renfrewshire Council within 7 days of the change.
11. The licence holder must maintain the property so it meets the repairing standard as defined by the Housing (Scotland) Act 2006 and must keep the following maintained:
 - a. the structural fire precautions;
 - b. exterior routes to a place of safety (including routes from below emergency escape windows); and
 - c. installations for gas, electricity and other service and utility provisions.
12. The tenancy agreement for all residents must contain the statutory terms as prescribed by the Private Residential Tenancies (Statutory Terms) (Scotland) Regulations 2017 or any successor legislation, unless the tenancy agreement was entered into prior to 1 December 2017 or a statutory exemption applies. Copies of all current tenancy agreements must be exhibited on demand to the Licensing Authority.
13. The licence holder, when requested, must exhibit to the licensing authority any records retained in relation to the following:
 - a. The number of residents occupying the property; and
 - b. Dates of entry and departure of each resident.
14. The licence holder shall use all available means to ensure that no disturbance or anti-social behaviour arises within or from the premises.
15. The licence holder must ensure that actions to secure repossession must only be by lawful means.

16. The licence holder shall comply with the current regulations regarding the maximum resale price of gas and electricity supplied, as appropriate.
17. Adequate facilities must be provided for the storage and disposal of refuse and include adequate recycling facilities.
18. The licence holder shall ensure that residents' mail is available to residents on a daily basis.
19. The licence holder shall ensure that telephone socket is installed in the premises which residents can connect a telephone to for the purpose of calling the emergency services.
20. The number of persons residing at the premises at any one time shall not exceed the maximum number stated in the licence.
21. The licence holder shall allow free access to the premises for the following officials for licensing purposes:
 - a. any authorised officer of Renfrewshire Council;
 - b. any officer of Police Scotland; and
 - c. any officer of Scottish Fire and Rescue Service.
22. The licence holder shall display the licence and these conditions in a prominent position where it can be conveniently read by residents.
23. The licence holder shall deliver this licence document to Renfrewshire Council within seven days of the cancellation by the licence holder, or variation or revocation of the licence by Renfrewshire Council.

Appendix B



Housing (Scotland) Act 2006 Benchmark Standards for Houses in Multiple Occupation

- BS1. Prior to the granting or renewal of a house in multiple occupation (“HMO”) licence, all newly constructed, altered, converted or extended premises intended to be used as a HMO living accommodation will be inspected by Council Officers to ensure the HMO living accommodation complies with building standards applicable to the building as provided in the Buildings (Scotland) Act 2003 (as amended), the Buildings (Scotland) Regulations Act 2004 (as amended) or any successor legislation.
- BS2. The Health and Safety Act 1974 and accompanying regulations apply to HMO living accommodation where persons are employed on the premises. When applicable, the licence holder must be aware of their statutory obligations.
- BS3. Current legislative food standards apply to HMO living accommodation where food is provided as part of the living arrangements. When applicable, the licence holder must be aware of their statutory obligations.
- BS4. Enforcement of fire safety in licensable HMO living accommodation is the responsibility of the Scottish Fire and Rescue Service. Council officers will however take into account fire safety when inspecting the HMO living accommodation to ensure that it constitutes suitable living accommodation. Where any concerns are noted, these will be passed to the Scottish Fire and Rescue Service for their consideration as appropriate. Licence holders must be aware of their obligations under the Fire (Scotland) Act 2005 to conduct fire risk assessments and provide appropriate fire safety measures to ensure the safety of occupants. Licence holders should also be aware of any statutory guidance issued by the Scottish Government, which provides benchmarks for fire safety within relevant premises. When in doubt, advice should be obtained from a competent fire safety specialist. Both the Scottish Government and the Scottish Fire and Rescue Service recommend that duty holders who wish to contract the services of external fire safety risk assessors verify that the assessor is competent in fire risk assessment. Further information on risk assessor competence can be found at http://www.firescotland.gov.uk/media/1173445/sfrs_advice_on_fire_safety.pdf

BS5. If furnishing or products are provided to occupants of the HMO living accommodation then the licence holder must be aware of their statutory obligations in relation to product safety.

BS6. HMO living accommodation must, unless otherwise agreed in writing with the licensing authority, comply with the standards and recommendations provided for in relation to the suitability of HMO living accommodation in the Statutory Guidance for Scottish Local Authorities issued under section 163 of the Housing (Scotland) Act 2006 or any successor statutory guidance.

In addition, HMO living accommodation must, unless otherwise agreed in writing with the Licensing Authority, comply with the following additional standards:

AS1. Space and Layout

Every stair for a change in level of more than 600mm must have a handrail on at least one side, fixed at a height of at least 840mm and not more than 1m above the pitch line of a flight or surface of a landing.

AS2. Security

Secure locks must be placed on all access doors. All door locks must be capable of being opened from the inside without a key. The licensing authority may require additional security, including locks on accessible windows which may present a security risk.

AS3. Sanitary facilities, water and drainage

Any WC compartment must be suitably ventilated and, as a minimum, any ventilator must have an opening area of 1/30th of the floor area of the WC compartment it serves or a mechanical extraction capable of at least 3 air changes per hour.

AS4. Provision of heating

A. Solid fuel appliances must be certified for safe use by a HETAS approved engineer or equivalent. Inspection and certification of solid fuel appliances are to be carried out at a frequency determined by the HETAS approved engineer.

B. Any living accommodation in a smoke controlled area of Renfrewshire must ensure that any solid fuel appliance being used is exempt or that authorised fuels are used.

C. Oil fired heaters must be certified safe for use by an OFTEC Registered Technician or equivalent. Inspection and certification of solid fuel appliances are to be carried out at a frequency determined by the OFTEC Registered Technician.

- D. Inspection and certification of solid fuel and oiled heaters are to be carried out at a frequency determined by the HETAS approved engineer (or equivalent) or OFTEC Registered Technician (or equivalent) as applicable.

AS5. Chimneys and Flues

- A. All chimneys/flues that are in use must be cleaned annually and a valid certificate provided by a member of The Guild of Master Chimney Sweeps or The National Association of Chimney Sweeps or equivalent. The licence holder must retain the current certificate and those of the previous two years.
- B. Open-flued combustion appliances should not be fitted in the same room (or in an adjoining room) as an extract fan. If no reasonable alternative is available, a spillage test must be carried out on the appliance. If the appliance is to burn solid fuel, the spillage test must be carried out by a HETAS approved engineer or equivalent. If the appliance is a gas appliance, the test must be carried out by a Gas Safe engineer or equivalent. The appliance must comply with all current relevant legislative standards.

AS6. Electrical Safety

- A. Any work to electrical installations must be carried out by an appropriately qualified person and in accordance with the relevant regulations, statutory guidance and all current legislative standards.
- B. All bathrooms and shower rooms must be provided with an IP44 rated light fitting.

To: Regulatory Functions Board

On: 22nd May 2019

Report by: Director of Finance and Resources

Heading: Sexual Entertainment Venue Licensing

1. Summary

- 1.1 The purpose of this report is to advise the Board of the introduction of the provisions of the Air Weapons and Licensing (Scotland) Act 2015 relating to the licensing of sexual entertainment venues (SEVs). These provisions came into force on 26th April 2019 and allow the Council to introduce a licensing regime in respect of these venues.
- 1.2 The Board is asked to note the commencement of these provisions and authorise officers to carry out a public consultation to help the Board determine (i) whether a system of licensing should be introduced and, (ii) if so, what limit on the number of these premises should apply and what should be included in any SEV policy statement.
- 1.3 Separately, other provisions of this legislation were brought into force at the same time, which allow the Council to license theatres as a type of public entertainment. This is a result of the existing theatre licensing provisions in the Theatres Act 1968 being repealed.
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2. Recommendations

- 2.1 The Board is asked to:

- 2.1.1 Authorise officers to carry out a public consultation and evidence gathering process in order to establish views on the following:
- (a) whether sexual entertainment venues in Renfrewshire should be licensed and, if so, what the appropriate number of these venues, in Renfrewshire or specified parts of Renfrewshire, should be; and
 - (b) if these venues are to be licensed, what should be included in a sexual entertainment venue licensing policy statement;
- 2.1.2 Approve the list of consultees for initial consultation, as detailed at Appendix 1;
- 2.1.3 Note the position regarding the licensing of theatres as set out at section 4 of this report; and
- 2.1.4 Otherwise note the contents of the report.
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3. **Background to SEV Licensing**

- 3.1 The Scottish Parliament passed legislation in 2015, the Air Weapons and Licensing (Scotland) Act 2015, which included a provision giving local authorities a power to license sexual entertainment venues. A commencement order has now been made, bringing the provisions into force on 26th April 2019.
- 3.2 The new legislation allows, but does not require, the Council to introduce a licensing system for “sexual entertainment venues” (“SEVs”). While the Licensing Board already consider whether such premises are suitable for a liquor licence, the courts have been clear that the liquor licensing system is for the purpose of regulating the sale of alcohol and cannot extend to other matters. The new legislation therefore seeks to allow Councils to directly license and regulate these venues and to control the number of these premises in their area if they wish to do so.
- 3.3 The type of venues that can be regulated under the new provisions are premises at which sexual entertainment is provided before a live audience for (or with a view to) the financial gain of the organiser. “Sexual entertainment” includes any live performance or display of nudity provided solely or principally for the purpose of sexually stimulating the audience. Premises at which this entertainment occurs no more than four times within any 12 month period would not require an SEV licence.
- 3.4 As a result of the definitions summarised at Paragraph 3.3, premises beyond traditional lap dancing clubs could be affected by the new provisions: for example, premises which allow events to be held occasionally with performances which include nudity.

Procedure

- 3.5 Should the Board decide to introduce a system of licensing for SEVs, then, from one year after a Resolution is made to that effect, these premises will need to obtain a licence from the Council to continue to operate.
- 3.6 If the Council decides to license these premises, the Board will also have to agree and publish a detailed policy at least a month before the new licensing system comes into operation. In preparing this policy statement, the Board must consider the impact of the licensing of these venues in its area, having regard, in particular, to how it will affect the objectives of- (i) preventing public nuisance, crime and disorder, (ii) securing public safety, (iii) protecting children and young people from harm and (iv) reducing violence against women. The Council must consult such persons or bodies as it considers appropriate in doing so. The Board will have to set a maximum number of these premises within Renfrewshire or any specific areas identified within it.
- 3.7 At present, it is understood that there are no dedicated premises within Renfrewshire providing sexual entertainment, but there are premises which have traded until recently and retain the benefit of a liquor licence. Any premises providing sexual entertainment on more than four occasions within a 12 month period would in the future be prevented from doing so if the Board were to decide upon a numerical limit of zero, applicable either throughout Renfrewshire or in the locality of those premises.
- 3.8 The Scottish Government have recently completed guidance to assist local authorities in deciding whether to license these venues. The Guidance (which is available at <https://www.gov.scot/publications/guidance-provisions-licensing-sexual-entertainment-venues-changes-licensing-theatres/pages/3/>) underlines the importance of gathering evidence to justify any decision to license.
- 3.9 Accordingly, in order to gather evidence, it is recommended that an initial consultation exercise is undertaken, allowing consultees and members of the public a reasonable period to respond. It is anticipated that the initial consultation would be carried out over a period of eight weeks.
- 3.10 This consultation would be designed to assist the Board as to whether a Resolution should be made and, if so, what numbers limits may be appropriate. It would also help officers to formulate a draft of the required policy statement in due course. The gathering of evidence at this initial stage will also be of assistance to the Board in considering what conditions of licence might be appropriate prior to the introduction of any new licensing regime. A list of proposed consultees for the consultation is attached at Appendix 1. The public will also be encouraged to respond with their views.
- 3.11 Following the initial consultation, officers will bring a further report to the Board to allow them to reach a decision as to whether to introduce an

SEV licensing regime. Should the Board then make a decision to license these premises, officers will then require to prepare a draft policy statement for further consultation.

- 3.12 The final version of the policy statement requires to be agreed and published at least 28 days before any Resolution to license SEVs is due to take effect.

Additional Information

- 3.13 While the Board is not required to license these venues, the Council will have no regulatory control over the sexual entertainment aspects of these premises if no Resolution is made. As such, any SEV premises would be able to operate without any direct regulation from the Council as the licensing authority.

- 3.14 A decision to license, and limit the number of, these venues may affect the ability of hotels, clubs and other venues to provide for party nights at which “sexual entertainment” within the meaning of the new legislation is provided, provided that they offer this entertainment more than four times within a 12 month period.

Next Steps

- 3.15 The Board is asked to authorise officers to undertake a consultation and evidence gathering process. Throughout the consultation, evidence will be sought on a range of matters relating to the licensing and regulation of SEVs, in line with the Scottish Government Guidance, including:-

- Information on the number of these premises currently operating and how any premises operate
- Location of these, particularly in relation to: residential areas; schools; places of worship; women’s refuges/ shelters; services supporting children and young people; supported accommodation and recovery units, and any businesses or charities operating in the nearby vicinity
- The effect these venues have on local communities, particularly with reference to the above licensing objectives set out at Paragraph 3.6 of this report
- Whether there have been any incidents such as sexual assaults, anti-social behaviour or prostitution reported in a particular area
- Whether there have been incidents of human trafficking or exploitation locally
- The views of residents and other interested persons as far as possible
- Input from the Human Trafficking Unit at Gartcosh

4. Theatres

- 4.1 Until now, theatres have required a licence under the provisions of the Theatres Act 1968, but the licensing provisions within that legislation will be repealed with effect from 27th January 2021.
- 4.2 As a result, a change has now been made to the provisions of the Civic Government (Scotland) Act 1982 to allow the Board to decide whether to license theatres under their Public Entertainment Licensing Resolution. Any change to this policy, to include theatres, would however require a statutory process to be followed prior to any decision to license theatres being made.
- 4.3 The Council's existing Public Entertainment Licensing Resolution currently covers various activities, including pop concerts and other live performances, as well as musical shows. It would be open to the Board, following upon the required statutory process, to add theatres specifically to the list. There are no premises currently licensed as theatres within Renfrewshire. Should the Board wish to review the terms of its current Public Entertainment Licensing Resolution in view of this change, officers would bring a further report to a future meeting of the Board.

Implications of the Report

1. **Financial** - nil
2. **HR & Organisational Development** – nil
3. **Community/Council Planning** –
- Our Renfrewshire is safe – The objectives of the sexual entertainment venue licensing regime which the new legislative provisions allows to be introduced include protecting children and young people from harm and reducing violence against women
 - Building strong, safe and resilient communities – Should the Board determine in due course to license sexual entertainment venues, the Council will be able to exercise regulatory control over these venues.
4. **Legal** – as detailed in the report
5. **Property/Assets** – nil
6. **Information Technology** - nil
7. **Equality & Human Rights** -
- (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report

because at this stage the recommendation is for initial consultation, to seek views from consultees on (i) whether these premises should be licensed and (ii) how any SEV regime to be introduced might be implemented. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.

- 8. **Health & Safety** – nil.
- 9. **Procurement** – nil.
- 10. **Risk** – No current risks have been identified, given that the recommendation at this stage is for initial consultation on the possible implementation of a licensing regime.
- 11. **Privacy Impact** – nil.
- 12. **Cosla Policy Position** – n/a

List of Background Papers - none

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LIST OF CONSULTEES

1. All Renfrewshire Community Councils
2. All Renfrewshire Council Directors
3. All Renfrewshire Council Elected Members
4. All Renfrewshire (liquor) Premises Licence Holders
5. All Renfrewshire Tenants' Associations (per A. Millar, Tenant Liaison Officer)
6. All Scottish Youth Parliament Members
7. Asist
8. Barnardo's
9. Capability Scotland
10. CEDAR
11. Chief Executive, Renfrewshire Council
12. Children First
13. Civic Licensing Standards Officers
14. Diocese of Paisley, Diocesan Office, Ingle Street, Paisley
15. Disability Resource Centre
16. Diversity and Equality Alliance Renfrewshire (DEAR Group)
17. Dr. M. Ishaq, University of the West of Scotland
18. Enable
19. Engage Renfrewshire
20. Federation of Local Associations in Renfrewshire
21. General Secretary, Scottish Trades Union Congress, 333 Woodlands Road, Glasgow
22. GMB Sex Workers' Union
23. Human Trafficking Unit, Scottish Crime Campus, Gartcosh
24. I Am Me
25. International Committee on the Rights of Sex Workers in Europe (ICRSE)
26. LGBT+ Renfrewshire
27. Ms. A. Mullin, Church of Scotland Committee on Education
28. NHS Greater Glasgow and Clyde
29. PACHEDU
30. Paisley Action of Churches Together
31. Paisley First
32. Paisley Presbytery, Church of Scotland (Rev. Dr. McEnhill)
33. Paisley YMCA
34. Police Scotland
35. Quarriers
36. RAMH
37. Reaching Older Adults in Renfrewshire
38. Renfrewshire Access Panel
39. Renfrewshire Adult Protection Committee
40. Renfrewshire Alcohol and Drugs Partnership
41. Renfrewshire Chamber of Commerce
42. Renfrewshire Child Protection Committee
43. Renfrewshire Community Planning Partnership Executive

44. Renfrewshire Community Safety Hub
45. Renfrewshire Council Head of Communities and Public Protection
46. Renfrewshire Council Head of Policy and Commissioning
47. Renfrewshire Council Head of Regeneration
48. Renfrewshire Council Youth Services
49. Renfrewshire Effort to Empower Minorities
50. Renfrewshire Evangelical Alliance of Churches
51. Renfrewshire Health and Social Care Partnership
52. Renfrewshire Learning Disabilities Service
53. Renfrewshire Interfaith Group
54. Renfrewshire Polish Association
55. Renfrewshire Rising
56. Renfrewshire Reconnection
57. Renfrewshire Women's Aid
58. Renfrewshire Youth Voice
59. Say Women
60. Scot-Pep
61. Scottish Fire and Rescue Service
62. Sex Worker Advocacy and Resistance Movement (SWARM) Collective
63. Soroptomist Paisley
64. Umbrella Lane
65. West of Scotland Regional Equality Council (WSREC)
66. Women and Children First
67. You First Advocacy

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