

To: Regulatory Functions Board

On: 3 June 2021

Report by: Director of Finance and Resources

Heading: Public Entertainment Licensing: Proposed Changes to Standard Licence Conditions

1. Summary

1.1 The purpose of this report is to seek the Board's agreement to amend the standard conditions of licence relating to certain public entertainment licences. It is the view of officers that these conditions should be updated to reflect the terms of the Council's policy banning the release of balloons or lanterns at Council licensed events.

2. Recommendations

2.1 It is requested that the Board:-

2.1.1 Agree the terms of the following condition as a standard condition to be attached to public entertainment licences which relate to events:

“The licence holder shall not release, or allow the release of, balloons or lanterns during any licensed event.”;

2.1.2 Agree that the above condition be attached to new public entertainment licences relating to events and to existing licences when they next fall to be renewed; and

2.1.3 Otherwise note the terms of the report.

3. **Background**

- 3.1 At a meeting on 27th February 2020, Council considered a Motion relating to the release of balloons and lanterns. Council agreed that the release of these items posed a risk to wildlife, livestock, humans and property and also agreed a policy banning their release on Council property, Council owned land, and at Council licensed, endorsed or supported events, including those not on Council owned land.
- 3.2 Officers have reviewed the Council's existing public entertainment licence conditions in light of the above policy and the likely resumption of events as public health restrictions are relaxed. While the above policy prohibits the release of balloons and lanterns at Council licensed events, it is the view of officers that a new standard condition of licence should be introduced to allow the above policy to be enforced and that this condition should apply to all categories of public entertainment licence which relate to an event. This would exclude those licences which are required to allow the operation of premises for indoor activities such as tanning salons.
- 3.3 It is therefore proposed that the Board agree the terms of an additional standard condition for these licences, as set out Paragraph 2.1.1 of the report. Should the Board agree the proposed condition, officers will arrange for this condition to be included in public entertainment licences granted for the first time following the Board's decision. It is anticipated that these licences will cover the vast majority of licences which relate to future events. In relation to any application for renewal of a licence which covers events, however, officers will update licence application forms and seek the applicant's consent to the new condition of licence. Should the applicant withhold their consent, officers will refer their application to the Board for consideration.

Implications of the Report

1. **Financial** – Nil.
2. **HR & Organisational Development** - Nil
3. **Community/Council Planning** – Nil
4. **Legal** – The Council, in granting or renewing a licence, is empowered to attach reasonable conditions, in terms of Paragraph 5 of Schedule 1 to the Civic Government (Scotland) Act 1982.
5. **Property/Assets** – Nil
6. **Information Technology** – Nil
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, as (i) the proposed licence condition in the recommendation does not seek to change Council

policy but to reflect a policy of the Council already agreed; and (ii) should any party not wish the proposed condition attached to their licence they can request that the condition be not applied to their licence, which request would be considered by the Regulatory Functions Board. 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** – Nil
11. **Privacy Impact** – Nil
12. **Cosla Policy Position** – Nil
13. **Climate Risk** – Nil. The proposed condition reflects an existing policy agreed by the Council. Any environmental impacts of that policy are likely to be positive.

List of Background Papers

None

Author: Douglas Campbell, Assistant Managing Solicitor (Licensing), 0141-618-7172
email: douglas.campbell@renfrewshire.gov.uk