

THE MORAY COUNCIL

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

NOTICE OF VARIATION OF RESOLUTION TO LICENCE PLACES OF PUBLIC ENTERTAINMENT IN MORAY

RESOLUTION

THE MORAY COUNCIL, as the Licensing Authority for Moray, by virtue of the powers conferred on them by Section 9 of the Civic Government (Scotland) Act 1982, **DO HEREBY RESOLVE**

(First) that as from the 1 December 2017 the categories of PUBLIC ENTERTAINMENT requiring a licence under Section 41 of the said Act shall be varied so as to apply to the following places and activities:-

- video machine parlours/amusement arcades
- billiard, snooker or pool halls
- circuses - [under exception of certain sites in the ownership of the council as designated from time to time]
- exhibitions of performing animals
- funfairs/fairgrounds - [under exception of certain sites in the ownership of the council as designated from time to time]
- public firework or bonfire displays
- amplified indoor musical events (100 persons or more attending)
- amplified outdoor musical events
- commercial events held in marquees
- agricultural shows
- commercial discos
- licensed premises within the meaning of the Licensing (Scotland) Act 2005 in which public entertainment is being provided outwith the licensed hours
- plays or other dramatic performances
- exhibitions, demonstrations or performances of hypnotism

(Second) that the use of the word “musical” in any of the above categories shall include relating to sounds wholly or predominantly characterised by the emission of a succession of repetitive beats.

(Third) that the use of the word “amplified” in any of the above categories shall mean all circumstances where the volume of sound is increased by means of an electronic device.

(Fourth) that the use of the word “commercial” in any of the above categories shall mean events of the type stated which make or which are intended to make a profit for private gain.

(Fifth) for the avoidance of doubt a licence shall not be required for any local gala day or fete, including gala days or fetes which involve any activity which could be classed as funfairs/fairgrounds unless such an event also includes a public firework or bonfire display.

(Sixth) to adopt the “Home Office for Scotland Standard Conditions for Hypnotism”.

(Seventh) to adopt the revised “Conditions Applicable to Public Entertainment Licences”.

(Eighth) that the foregoing resolution is made in relation to the whole of the local government area of Moray being the area of the licensing authority.

Alasdair McEachan

Head of Legal and Democratic Services

Council Headquarters,
High Street,
ELGIN.

1 December 2017