

Proposed Licensing of Funfairs (Scotland) Bill

Page 2: About you

Are you responding as an individual or on behalf of an organisation?

an individual

Which of the following best describes you? (If you are a professional or academic, but not in a subject relevant to the consultation, please choose "Member of the public".)

Member of the public

Please select the category which best describes your organisation

No Response

Please choose one of the following:

I would like this response to be anonymous (the response may be published, but no name)

Please insert your name or the name of your organisation. If you choose the first option above, this should be the name as you wish it to be published. If you choose the second or third option, a name is still required, but it will not be published.

Please provide details of a way in which we can contact you if there are queries regarding your response. Email is preferred but you can also provide a postal address or phone number. We will not publish these details.

Page 7: Your views on the proposal - Aim and approach

Q1. Which of the following best expresses your view of the proposal to exempt funfairs from Public Entertainment Licensing requirements and to create a distinct new licensing system for funfairs in Scotland?

Fully Supportive

Please explain the reasons for your response

There needs to be standardisation in the licensing process and fees changed for fun fairs. Fun fairs cause a lot of extra expense and work for local councils while the fair is on e.g. Emptying bins/collecting litter more

Q1. Which of the following best expresses your view of the proposal to exempt funfairs from Public Entertainment Licensing requirements and to create a distinct new licensing system for funfairs in Scotland?

frequently and having to repair green spaces with new turf after the lorries and rides have gone. This needs to be taken into account in the licencing fees set.

Q2. Could the aims of this proposal be better delivered in another way (without a Bill in the Scottish Parliament)?

No

Please explain the reasons for your response

Under the current rules some local authorities are not getting enough compensation from fun fairs while others seem to be getting more.

Q3. What do you think would be the main advantages, if any, of the proposal?

If fees were the same across Scotland it would stop showmen living at the cheapest sites for extended periods of time and distribute the fun fairs throughout Scotland. For example the Fife fee is ridiculously low (£145 for 3 years). This encourages showmen and their caravans to live on the fairground site in Burntisland for 3 months each summer rather than travelling to different towns. The premium 'white knuckle' rides only come to Burntisland for 2 weeks in July. But the low fee encourages the most shabby/rundown stalls and rides to stay on the site for the whole summer.

Q4. What do you think will be the main disadvantages, if any, of the proposal?

It would depend on the new charging structure. If the licence cost was not linked to the length of stay at the site it would still encourage showmen to extend their stay on sites after the initial novelty of the fair arriving and flurry of customers had worn off.

Q5. What do you think the maximum time available should be for local authorities to make a decision on an application to hold a funfair?

more than 28 days (please specify)

Please explain the reasons for your response.

If someone asks their local council for planning permission or a building warrant the process can take longer than 28 days so why should licences be dealt with quicker. The showmen should submit their applications at least 3 months before the date they require the licence. This allows time for local residents and town councils to be consulted on potential impacts. E.g. noise pollution and diesel pollution in green spaces and residential areas.

Q6. How do you think fees should be determined for local authorities to process an application?

power of Ministers to set scale of fees

Please explain the reasons for your response, including details of the amount of any suggested fees.

A travelling fair for 1 week in a location should not have to pay the same amount as a travelling fair which lasts

Q6. How do you think fees should be determined for local authorities to process an application?

for 3 months. There should be a scale based on length of stay and the pollution caused by the stall/ride

Q7. What is your view on what should happen to the fee in cases where an application is refused?

Part of the fee returnable to the applicant

Please explain the reasons for your response

The costs of the authorities processing/analysing the applicants request should be retained. This will deter showmen from submitting applications that are unreasonable. E.g. if they are requesting to play loud music late at night.

Page 14: Financial implications

Q8. Taking account of both costs and potential savings, what financial impact would you expect the proposed Bill to have on:

	Significant increase in cost	Some increase in cost	Broadly cost-neutral	Some reduction in cost	Significant reduction in cost	Unsure
(a) Showpeople						X
(b) Local authorities			X			
(c) General public			X			

Please explain the reasons for your response

As the costs charged by some councils are much less than others, it will result in a redistribution of rides at fun locations.

Page 15: Equalities

Q9. What overall impact is the proposed Bill likely to have on equality, taking account of the following protected characteristics (under the Equality Act 2010): age, disability, gender re-assignment, marriage and civil partnership, pregnancy and maternity, race, religion and belief, sex, sexual orientation?

Neutral (neither positive nor negative)

Q10. In what ways could any negative impact of the proposed Bill on equality be minimised or avoided?

If the cost that showmen previously paid increases as part of the new standard fees, they should apply to a more prime fun fair location e.g. the Burntisland showmen could go to the Meadows in Edinburgh where the

Q10. In what ways could any negative impact of the proposed Bill on equality be minimised or avoided?

more lucrative class of tourists in the summer have more money to spend on entertainment.

Page 17: Sustainability

Q11. Do you consider that the proposed Bill can be delivered sustainably i.e. without having likely future disproportionate economic, social and/or environmental impacts?

Yes

Please explain the reasons for your response:

Fairer for everyone

Page 18: General

Q12. Do you have any other comments or suggestions on the proposal to exempt funfairs from Public Entertainment Licensing requirements and to create a distinct new licensing system for funfairs in Scotland?

As showmen live on the site for the duration, the licence cost should be for every day they are on site. Not just how many days they are trading. For example, the caravans and lorries are parked on the site over a week before the fair opens even if it doesn't take a full week to set up the stall/ride and once the duration of trading finishes, the caravans remain on the site for a week when really they should pack up and move on.