

Proposed Licensing of Funfairs (Scotland) Bill

Page 2: About you

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

on behalf of an organisation

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".)

No Response

Please select the category which best describes your organisation

Representative organisation (trade union, professional association)

Please choose one of the following:

I am content for this response to be attributed to me or my organisation

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 If you choose the second or third option, a name is still required, but it will not be published.

Amusement Catering equipment Society

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

Our Scottish members have expressed a concern about the fees and turn-around time for applying for

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?

licenses. Also, there seems to be a lack of transparency in how licences are awarded or approved. I myself (as Secretary of the Society) have been told first-hand that some Scottish Showmen are just giving up and moving away from the business. This puts the welfare of Scottish Showmen behind those who are from England and Wales and affects the Scottish public tradition of "going to the fair".

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

Unsure

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

Fairness, transparency and standardisation.

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

The fairground industry already acts under the guidance of HSG195 and HSG175. Public safety won't be affected. The disadvantage would be to the authorities who may have a reduced profit from the issuing of them.

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?

14 days

Please explain the reasons for your response.

In today's digital society, 14 days should be sufficient if certain parameters are set up.

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 scale would probably suit better. This could have variables including ground space, operating times, possible audience and event type.

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

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

Please explain the reasons for your response

We accept that the authority may have to undertake research and collate documents, therefore a partial return of fee would stop the authority using the process as a profit making scheme.

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

The answers above aren't applicable as the process at the moment is different from authority to authority. Broadly speaking though, a standardisation will give Showmen the chance to offer their services in the best possible way which will reduce costs to them. Some local authorities won't be taking in high processing fees. But the public should reap the lower end costs.

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)

Please explain the reasons for your response

Directly, neutral. However, festivals and fairs for the above will be easier to put on.

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

We don't see that there will be any negativity on equality.

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:

Showmen already adhere to HSG195 and HSG175. Plus there is other guidance that applies. The end result will be no different, just the administration beforehand.

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?

No Response