

# 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".)

Professional with experience in a relevant subject

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 If you choose the second or third option, a name is still required, but it will not be published.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

The difference in the cost of applying for a Public Entertainment Licences from council to council is quite incredible. There should be a nationwide fee in place which would mean that no council area can charge 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?

than another, or ideally the same approach should be taken as English councils, where no such licence is required to operate a Funfair.

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

Yes

**Please explain the reasons for your response**

Local councils have to look at the unexplainable differences in the cost of a licence and agree to a uniform fee, or scrap the licence.

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

Fairness in the cost of applying for a licence from area to area. This should see more operators prepared to try new fairs in areas where at the moment, the cost of applying for a licence and the costs of putting on a Funfair outweigh any financial benefit of a new fair in certain areas.

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

In terms of Scottish funfairs, I can see no disadvantage whatsoever

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?

less than 14 days (please specify)

**Please explain the reasons for your response.**

If the decision to allow a Funfair is made in a prompt and efficient manner, it allows more time for the operator to implement the fair with plenty of time to organise it properly. Last minute decisions are detrimental to the organisation process

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

single fee fixed in statute

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

For too long now local councils have charged what looks like any fee they want to. If there has to be a fee it should be uniform, across all councils and set in statute to eliminate any further attempts by councils to manipulate the fee for their financial gain.

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

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Full fee returnable to the applicant

**Please explain the reasons for your response**

If the council has refused a licence then all monies should be returned to the applicant. This would encourage further applicants to apply for a licence without fear of losing the fee, which can be quite a substantial amount of money.

## 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**

If the council make licences fairer and possibly cheaper to apply for then it becomes cheaper for the showman to put on a fair, therefore these savings can be passed on to the general public. Local councils might find that although a single licence may decrease in cost, there could be more willingness to put on more fairs over the year which would mean no real loss to the income from the fair over the period of a year.

## 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?

Positive

**Please explain the reasons for your response**

Why do the showmen in Scotland have to pay for a licence when their English counterparts don't??

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

Local councils have to be more transparent. Showmen must be allowed to attend licence meetings to put forward their point of view and alleviate any fears

## 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:**

The Showmen foot the costs for the licence. Unfortunately councils want to drown an application in masses of bureaucracy

## 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?

Bring the Scottish Showmen into line with their English counterparts.