



Glasgow City Council

Licensing and Regulatory Committee

Report by Director of Legal and Administration

Contact: G McNaught Ext: 74546

Item 4

14th August 2024

CIVIC GOVERNMENT (SCOTLAND) ACT 1982 Public Entertainment Licence Fee – Premises Offering Massage Facilities for up to 10 persons.

Purpose of Report:

To ask Members to consider a change to the Public Entertainment Licence fee, for premises offering massage facilities for up to 10 persons.

Recommendations:

Members are asked to:

- (a) note the terms of the report; and
- (b) consider amending the Public Entertainment Licence fee (temporary, grant and renewal), for premises offering massage facilities for up to 10 persons, as detailed in paragraph 2.2 of this report.

Ward No(s): As per attached list

Citywide:

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Local member(s) advised: Yes

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No

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consulted: Yes

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No

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(Where appropriate)

1 Background

- 1.1 Under the Civic Government (Scotland) Act 1982 (“1982 Act”) a Public Entertainment Licence is required for the use of premises as a place of public entertainment. Under the 1982 Act there are certain “exemptions” from the requirement to apply for a Public Entertainment Licence. These are detailed in section 41(2) of the 1982 Act.
- 1.2 In addition to the above, under section 9 of the 1982 Act a Licensing Authority can resolve by way of a resolution to licence certain activities under a Public Entertainment Licence.
- 1.3 On 6 March 2013, the Licensing and Regulatory Committee (“**Committee**”) considered a report by the then Executive Director of Corporate Services regarding the outcome of a public consultation exercise on the licensing of public entertainment and the recommendations made by a short life working group comprising officers from Licensing, Environmental Health and Building Control and Public Safety. At that meeting Members of the Committee approved the content of a proposed draft resolution and instructed the then Executive Director of Corporate Services to give notice of the Licensing Authority’s intention to vary the existing Resolution in terms of section 9 of the 1982 Act.
- 1.4 On 12 June 2013 the Committee considered a report from the then Executive Director of Corporate Services in relation to the outcome of a public consultation on the terms of a proposed draft resolution on Public Entertainment. At this meeting the Committee agreed the draft resolution which detailed types of entertainment or premises that require to be licensed under a Public Entertainment Licence. The current resolution is detailed at Appendix 1 to this Report.
- 1.5 The licensing section has recently carried out a review of the Public Entertainment Licence fee charged in relation to premises offering massage facilities. Currently the fee for this falls into the category “*A commercial operation where the capacity of the venue is up to 5000 persons*” and is £717 for a temporary licence and £2152 for a 3 year licence.

2 Current Position

- 2.1 Members will be aware that the fee for a temporary Public Entertainment Licence for sunbed (tanning salons) is currently £147 and a three year licence £353 (grant of a licence and separately renewal of a licence). There is quite a substantial difference between a Public Entertainment Licence fee for sunbed (tanning salons) and the fee for a premises offering massage facilities, where each premises tends to be of a similar size, in terms of the capacity of persons and a similar consultation process is carried out.
- 2.2 It is therefore suggested that Members approve a fee for premises offering massage facilities, for a capacity of up to 10 persons, commensurate with that charged for a Public Entertainment Licence for sunbeds (tanning salons), being

£147 for a temporary licence and £353 for a three year licence (grant of a licence and renewal of a licence), subject to any agreed increases in fees and charges.

3 Policy and Resource Implications

Resource Implications:

<i>Financial:</i>	There should be no financial impact for potential applicants as the proposed fee is reduced from the current Public Entertainment Licence fee for premises offering massage facilities, for up to 10 persons.
<i>Legal:</i>	Licensing Authorities are able to set the fee for a Public Entertainment Licence under the 1982 Act.
<i>Personnel:</i>	None
<i>Procurement:</i>	None

Council Strategic Plan: None

Equality and Socio-Economic Impacts:

<i>Does the proposal support the Council's Equality Outcomes 2021-25.</i>	N/A
<i>What are the potential equality impacts as a result of this report?</i>	No significant impact
<i>Please highlight if the policy/proposal will help address socio economic disadvantage.</i>	N/A

Climate Impacts:

<i>Does the proposal support any Climate</i>	N/A
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Plan actions? Please specify:

What are the potential climate impacts as a result of this proposal? N/A

Will the proposal contribute to Glasgow's net zero carbon target? N/A

Privacy and Data Protection impacts:

Are there any potential data protection impacts as a result of this report No

If Yes, please confirm that a Data Protection Impact Assessment (DPIA) has been carried out

4 Recommendations

- 4.1 Members are asked to:
- (a) note the terms of the report; and
 - (b) consider amending the Public Entertainment Licence fee (temporary, grant and renewal), for premises offering massage facilities for up to 10 persons, as detailed in paragraph 2.2 of this Report.