

Item: 4

Licensing Committee: 23 August 2018.

Civic and Miscellaneous Licensing – Functions Report.

Report by Executive Director of Corporate Services.

1. Purpose of Report

To present a report in relation to the exercise of the Council's functions in terms of the Theatres Act 1968, the Civic Government (Scotland) Act 1982 and the Cinemas Act 1985.

2. Recommendations

The Committee is invited to note:

2.1.

The report in relation to the exercise of the Council's functions in terms of the Theatres Act 1968, the Civic Government (Scotland) Act 1982 and the Cinemas Act 1985, for the period from 1 July 2017 to 30 June 2018, attached as Appendix 1 to this report.

3. Introduction

The Council's Licensing Team processes applications for licences, consents and notifications in terms of the Theatres Act 1968, the Civic Government (Scotland) Act 1982 (the 1982 Act) and the Cinemas Act 1985.

4. Functions Report

The functions report for the period from 1 July 2017 to 30 June 2018 in relation to the exercise of the Council's functions in terms of the Theatres Act 1968, the Cinemas Act 1985 and the 1982 Act, attached as Appendix 1 to this report, includes information regarding the following:

- The types of licences, consents and notifications governed by the legislation.
- Consultation requirements and periods.
- The number of licences held under the legislation in the Council's area at 30 June 2018.
- The number of applications for licences, consents and notifications in terms of the legislation processed during the period.
- The number of applications for licences, consents and notifications in terms of the legislation refused during the period.

- The number of random taxi and private hire car inspections instructed during the period.
- Commitment of staff time in researching information and preparing reports on a number of matters during the period.
- Commitment of staff time in updating information regarding civic and miscellaneous licensing published at www.orkney.gov.uk to comply with new Data Protection legislation as well as improving online accessibility, including application forms, guidance notes and conditions, during the period from May to 30 June 2018.
- Commitment of staff time in dealing with enquiries regarding any of the types of licences, consents and notifications governed by the legislation during the period.
- Published documentation available at www.orkney.gov.uk.

5. Corporate Governance

This report relates to the Council complying with its statutory duties as a Licensing Authority and therefore does not directly support and contribute to improved outcomes for communities as outlined in the Council Plan and the Local Outcomes Improvement Plan.

6. Financial Implications

There are no direct financial implications to the Council arising from the recommendations of this report.

7. Legal Aspects

7.1.

The Theatres Act 1968 deals solely with theatre licences. The licensing authority is the local authority.

7.2.

The Cinemas Act 1985 deals solely with cinema licences. The licensing authority is the local authority.

7.3.

The 1982 Act governs a variety of types of licences, consents and notifications, as detailed in Appendix 1 to this report. The licensing authority is the local authority.

8. Contact Officers

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9. Appendix

Appendix 1: Civic and miscellaneous licensing functions report for the period 1 July 2017 to 30 June 2018.