**PUBLIC ENTERTAINMENT LICENCE**

**CONDITIONS IN RESPECT OF FUNFAIRS**

***General***

1. Dumfries and Galloway Council, as a local authority committed to equal opportunities, expects

licence holders to provide the licensed entertainment or recreational activity to members of the

public in a manner which does not discriminate unfairly and irrespective of the sex, race,

colour, ethnic or national origin, marital status or disability of the customer.

2. In these conditions “statutory agencies” include Police Scotland, Scottish Fire & Rescue

Service, Environmental Health and other officials whilst undertaking their statutory duties or

invoking statutory powers.

3. The licence holder will display the licence in a prominent position at the main entrance to the

premises where it may be easily read by members of the public and shall not in any way alter,

erase or deface this licence.

4. The licence holder will advise the Council immediately if he is charged or convicted of any

crime or offence during the currency of the licence.

5. The licence holder or another responsible person (not being under the age of 21 years of age)

nominated for the purpose by him shall be present and in charge during the whole period of

time that the public are on the premises.

6. The licence holder shall immediately inform the Licensing Authority of any change in his or her

private address. If not a natural person, the licence holder shall notify the Licensing Authority

in writing of any change in the partnership or directorate of the company.

7. A notice must be clearly displayed to customers giving details of the owner of the business,

together with an address at which service of any document relating in any way to the business

will be effective.

***Staffing***

8. The licence holder shall ensure that there are sufficient competent staff to supervise the

running of the entertainment.

9. The licence holder shall ensure that suitable written operating and emergency procedures, as

agreed with the statutory agencies, are provided and that all staff are conversant with these

procedures.

10. No person who is under, or appears to be under the influence of alcohol or drugs shall be

permitted to take any part in the entertainment.

***Insurance and Records***

11. The licence holder will maintain and exhibit to any authorised officer of the Licensing Authority

or Statutory Agencies a valid insurance policy in respect of Public Liability in respect of the

entertainment to a limit of not less than £1 million and show that each item of passenger

carrying equipment is covered by the policy.

12. The licence holder should be familiar with the guidance contained in the booklet “Fairgrounds

and Amusement Parks – Guidance on safe practice (HSG175) issued by the Health and

Safety Executive, and ensure that staff are also familiar with the guidance. The licence holder

shall exhibit any inspection certificate, emergency plans, operations manuals and any other

documentation or records referred to in the guidance on demand to any authorised officer of

the Licensing Authority or Statutory Agencies.

13. Notwithstanding condition 12 above, the licence holder will exhibit valid safety certificates in

respect of each item of passenger carrying equipment issued by an inspection body

registered under the Amusements Devices Inspection Procedures Scheme (ADIPS), and in

respect of electrical equipment a certificate issued by a competent person. For the avoidance

of doubt the “competent person” should be a professionally qualified electrical engineer; a

member of the Electrical Contractors’ Association; a member of the Electrical Contractors’

Association of Scotland; a certificate holder of the National Inspection Council for Electrical

Installation Contracting; or a suitably qualified person acting on behalf of any of the

aforementioned when it shall be specified for whom he is acting.

***Nuisance***

14. Noise level, including music, must at all times be kept at a reasonable level and no music

will be played after [10.30pm] or such times as may be agreed specific to the site.

***Equipment and Safety***

15. The licence holder shall ensure that the use of a telephone or another method of calling

the emergency services is provided at the location licensed.

16. The licence holder shall ensure that all areas of the site are accessible to the Fire Brigade,

Police and other Statutory Agencies at all times including in case of emergency.

17. The licence holder shall ensure that in the event of an emergency he or an appointed

operative meets any emergency vehicle on arrival at the place of public entertainment.

18. The licence holder shall ensure that coin operated kiddies rides should comply fully with

the requirements laid down in the HSE entertainment sheet No. 8 “The Amusement Devices

Inspection Procedure Scheme (ADIPS)” issued by the Health and Safety Executive. The

declaration of operational compliance forms should be available for perusal.

19. The fairground must be fully set up before the public are admitted in order that an

inspection may be carried out by the Chief Fire Officer, or his representative, any constable or

any authorised officer of the Licensing Authority or other Statutory Agency.

20. The licence holder shall ensure that the site conforms to the requirements of the Health

and Safety at Work etc Act 1974 and any relevant regulations or orders or any amendments

to the Act, regulations or orders.

21. All temporary structures must conform to the relevant technical guidance to the

satisfaction of the Council’s Operations Manager, Building Control and all necessary statutory

consents and approvals will be obtained by the licence holder.

22. The licence holder shall ensure that all owners and operators of equipment on the site as

well as employees, operatives and attendants are instructed in emergency safety procedures

and precautions to be observed and the action to be taken in the event of some or other

accident or emergency and the licence holder shall ensure in particular that adequate first aid

precautions are available.

23. The licence holder shall comply with any order or instruction given by the Police, Fire

Authority or authorised Council Officer for the prevention of annoyance or in case of

emergency (including an order to close the premises for a limited period.)

***Facilities***

24. Licence holder shall allow catering facilities to be inspected by authorised officers of the

Licensing Authority on demand and comply with any recommendations made by said officers.

25. The licence holder shall ensure that a suitable and sufficient supply of hot and cold water

is provided in all catering facilities.

***Prizes***

26. The licence holder shall ensure that no live animals shall be offered as prizes at the funfair.

***Enforcement***

27. The issue of this licence does not entitle the licence holder to occupy any land owned,

managed or maintained by the Council and the licence holder must obtain the written consent

of the relevant department of the Council prior to the licence being issued.

28. The Licensing Authority may order suspension of this licence if in its opinion a condition has

been contravened. During the period of suspension the licence would cease to have effect

and continuing to operate would render the licence holder liable to prosecution.

***Additional Conditions***

29. All mechanical rides must be contained within the occupation area and must not encroach or overhang onto any carriageway or footpath.

30. It is the responsibility of the licence holder to ensure that all rides are suitable and safe to use taking cognisance of all weather conditions.

31. The Licence Holder will conduct a full independent risk assessment before commencement of the licence.

Authorised Officer

# Date: [DATE LICENCE GRANTED]