

**NORTH LANARKSHIRE COUNCIL
REPORT**

To: CORPORATE SERVICES COMMITTEE		Subject: CIVIC GOVERNMENT (SCOTLAND) ACT 1982 AS AMENDED BY THE CRIMINAL JUSTICE (LICENSING) (SCOTLAND) ACT 2010 – RESOLUTION TO UPDATE/AMEND SECOND HAND DEALER'S LICENCES, PUBLIC ENTERTAINMENT LICENCES
From: HEAD OF LEGAL SERVICES		
Date: 4 October 2011	Ref: JM/NL	

1. PURPOSE OF REPORT

1.1 The purpose of this Report is to advise that the initial statutory procedures to make the above Resolution have now been completed and to seek authorisation to complete the statutory process.

2. BACKGROUND

2.1 Reference is made to the Minute of the Corporate Services Committee Meeting on 10 February 2011 which authorised the Head of Legal Services to initiate statutory procedures by advertising the above Resolution to replace the existing Resolution which came into operation on 1 April 1998.

3. REPORT

3.1 In accordance with the decision of the Corporate Services Committee Meeting on 10 February 2011 adverts were placed in local papers circulating in the North Lanarkshire area advertising that it was the Council's intention to make the Resolution as per the appendix to the Report and inviting any representations in respect of the Resolution.

3.2 No representations were received and authority is now sought from the Committee to pass the Resolution as per Appendix A to this Report without modification and advertise the making of the Resolution in local papers.

3.3 The legislation stipulates that once passed the Resolution will only come into effect after a period of nine months which gives an operative date of August 2012.

3.4 The proposed "new" activities, that is those activities not currently regulated in terms of the existing Resolution, are shown highlighted in **bold** on the Appendix.

4. **RECOMMENDATION**

4.1 To make the Resolution as per Appendix A.

4.2 To authorise the Head of Legal Services to complete statutory procedures in respect of the Resolution including advertising the making of the Resolution in the local press.


Head of Legal Services

APPENDIX A

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

LICENSING OF ACTIVITIES RESOLUTION

FINAL RESOLUTION

North Lanarkshire Council, Civic Centre, Motherwell ML1 1AB in terms of Section 9 of the above Act RESOLVE and DO HEREBY RESOLVE that as from 2012, being a date not less than nine months from the date of making this Resolution the following optional provisions of Part 2 of the 1982 Act shall have effect within the whole of the area of North Lanarkshire Council and the particular activities referred to herein shall require to be licensed and regulated in accordance with the provisions of Sections 24 to 27 (inclusive) and Sections 38 to 44 (inclusive) of the said Act as amended by the Criminal Justice (Licensing) (Scotland) Act 2010 and shall be regulated by those provisions, videlicet:-

- (1) Market Operators
- (2) Window Cleaners
- (3) Second Hand Dealers in respect of the following classes of activity:-
 - (a) Motor vehicles, motor cycles, vans, caravans or any other type of vehicle including trailers and parts thereof.
 - (b) Jewellery and precious stones.
 - (c) Domestic appliances.
 - (d) Antiques.
 - (e) Clocks and watches.
 - (f) Stamps, postcards, coins, medals and books.**
 - (g) Television and radios.
 - (h) Household effects and all electrical goods and gas goods.**
 - (i) Video/DVD recorders and hard drive recorders.**
 - (j) Toys, computers and consoles including hand held consoles.**
 - (k) Console games and cartridges.**
 - (l) Computer software/computer games.**
 - (m) Portable music devices.**
 - (n) Compact discs.**

- (o) **DVDs.**
 - (p) **Video and digital cameras and photographic equipment.**
 - (q) **Paintings and other artistic reproductions.**
 - (r) **Tools.**
 - (s) Musical instruments and equipment.
 - (t) **Memorabilia.**
 - (u) Furniture and carpets.
 - (v) **Clothing, footwear and accessories.**
 - (w) **China and crockery.**
 - (x) **Bric-a-brac.**
 - (y) **Magazines, books and comics.**
 - (z) **Satellite navigation units.**
 - (aa) **Mobile phones.**
 - (bb) **Sporting goods.**
 - (cc) **Nursery equipment and baby goods.**
 - (dd) **Printers/fax machines and scanners.**
- (4) The use of premises as a place of public entertainment in respect of the following places or classes of places, namely:-
- (a) Theatre, concert hall or music hall.
 - (b) Game hall, discotheque or roller discothèque hall.
 - (c) Ice rinks.
 - (d) Circus.
 - (e) An exhibition of persons or performing animals.
 - (f) Fun fairs and pleasure parks.
 - (g) A billiard, snooker or pool room.
 - (h) An amusement arcade or similar premises having machines for entertainment or amusement.
 - (i) A swimming pool.
 - (j) An indoor bowling stadium.
 - (k) Activities where a public audience may be present e.g. boxing, wrestling, judo presentations.

- (l) Public concerts other than theatrical performances e.g. pop concerts, live bands and musical performances.
- (m) Open air concerts.
- (n) Fireworks and bonfire displays.
- (o) Large fetes with marquees for the public.
- (p) Indoor children's play centres.
- (q) Indoor climbing centres.**
- (r) Health and Fitness.**
- (s) Laser displays and war games.**
- (t) Agricultural/Flower shows.**
- (u) Highland games.**
- (v) Go carting.**
- (w) Bungee jumping and bungee running.**
- (x) Bouncy castles or similar structures.**
- (y) Discos and dances.**
- (z) Sun tanning premises.**
- (aa) Dry ski centres.**
- (bb) Motor/Truck stunt shows and displays.**
- (cc) Raves.**
- (dd) Paintball games.**
- (ee) Skate boarding.**
- (ff) Vehicle stunt shows.**
- (gg) Barn dances.**
- (hh) Shooting galleries.**
- (ii) Lectures, oral recitals including poetry reading, story telling and illustrated talks.**
- (jj) Hot air balloon rides.**
- (kk) Helicopter rides.**
- (ll) Drive in cinemas.**
- (mm) Parachute jumps.**

(nn) Historical/Military re-enactments and displays.

North Lanarkshire Council by virtue of the powers conferred on them under Section 9 of the Civic Government (Scotland) Act 1982 RESOLVE and DO HEREBY RESOLVE at its meeting held on 27 October 2011 that as from 2012 being a date not less than nine months from the date of making this Resolution all Resolutions relating to the above categories are hereby revoked and the above Resolution shall be in force throughout the North Lanarkshire Area.

LICENSING OF ACTIVITIES

RESOLUTION

"North Lanarkshire Council by virtue of the powers conferred on them by Section 9 of the Civic Government (Scotland) Act 1982, do hereby resolve that as from 1 April 1998, the following optional provisions of Part 2 of the 1982 Act shall have effect within the whole area of North Lanarkshire Council, and the particular activities referred to herein shall require to be licensed in accordance with the provisions of the said 1982 Act, and shall be regulated by those provisions, videlicet:-

- (1) Market Operators
- (2) Window Cleaners
- (3) Second Hand Dealers in respect of the following classes of activity:-
 - (i) Motor cars, motorcycles, caravans and parts thereof.
 - (ii) Jewellery
 - (iii) Domestic appliances
 - (iv) Antiques
 - (v) Clocks and watches, medal and coins
 - (vi) Television, radio and video recorders
 - (vii) Musical instruments
 - (viii) Furniture
- (4) The use of premises as a place of public entertainment in respect of the following places or classes of place, namely:-
 - (i) Theatre, concert hall or music hall
 - (ii) Dance hall, discotheque or roller discotheque hall
 - (iii) Skating rink
 - (iv) Circus
 - (v) An exhibition of persons or performing animals
 - (vi) A fairground or pleasure park

- (vii) A billiard, snooker or pool room
- (viii) An amusement arcade or similar premises having machines for entertainment or amusement
- (ix) A swimming pool
- (x) A sports hall
- (xi) An indoor bowling stadium
- (xii) Activities where a public audience may be present e.g. boxing, wrestling, judo presentations
- (xiii) Public concerts other than theatrical performances
- (xiv) Open air concerts
- (xv) Fireworks or bonfire displays
- (xvi) Large fetes with marquees for the public
- (xvii) Indoor childrens' play centres"