Thank you for responding to the Local Government and Regeneration Committee’s Call for Evidence on the Air Weapons and Licensing (Scotland) Bill. All submissions will be examined and considered as part of the Committee’s scrutiny of the Bill.

Please be aware that questions marked with an asterisk (*) require an answer before you can submit the form.

Follow the Local Government and Regeneration Committee’s Twitter feed - all Committee tweets on this Bill will have the hashtag #aw&lbill.

*1. Please supply your name and contact details:

Name: ____________________________
Organisation: ____________________________
Address 1: ____________________________
Address 2: ____________________________
City/Town: ____________________________
Postcode: ____________________________
Country: ____________________________
Email address (if no email leave blank): ____________________________
Phone Number: ____________________________
2. Please confirm that you have read and understood the Scottish Parliaments “Policy on the treatment of written evidence by subject and mandatory committees”:

☐ Yes

3. Please confirm whether you are content for your name to be published with your submission:

☐ Yes
☐ No

4. Which of the three categories below best describes your interest in the Bill (please tick only one)?

☐ Personal

☐ Professional

☐ Commercial

5. Do you wish your email to be added to the Committee’s distribution list for updates on progress of the Bill:

☐ Yes

☐ No
6. Invitations to give oral evidence to the Committee on the Bill will be based on the submissions received. If you wish your submission to be included amongst those considered for possible invitation to give oral evidence, please indicate here.

☐ Yes

☐ No

* 7. You may answer questions on the entire Bill, or on any part of the Bill. Please indicate which parts of the Bill you are responding to? (You may select as many options that apply).

☐ All of the Bill

☐ Equalities, climate change and other Scottish Government objectives

☐ Air Weapons

☐ General licensing issues

☐ Alcohol licensing

☐ Civic licensing – taxi/private hire car licensing

☐ Civic licensing – scrap metal dealers

☐ Civic licensing – theatre licensing

☐ Civic licensing – sexual entertainment venues
1. Equalities, Climate Change and other Scottish Government objectives

You may respond to all the questions or only those you have a specific interest in. (Text boxes have no word limit, they will increase in size accordingly).

8. Do you consider that the Bill has any implications for meeting Scotland’s climate change commitments? Please explain.

No comment

9. Do you consider that the Bill has any implications for meeting Scotland's equality and/or human rights commitments? Please explain.

No comment

10. Do you consider that the Bill has any implications for preventative spending and/or public services reform? Please explain.

No comment
11. Do you consider that the Bill has any implications in relation to European Union issues? Please explain.

The 1982 Act is now long past its sell by date and is not compatible with the EUSD for several reasons.

Electronic communications is being addressed but the issue of fees and enforcement has not been addressed.

12. Do you have any other comments on the impact of the proposals contained in the Bill relation to Scottish Government objectives?

No comment
6. Civic Licensing – Sexual Entertainment Venues

You may respond to all questions or only those you have a specific interest in. (Text boxes have no word limit, they will increase in size accordingly).

50. What are the consequences of operating the new licensing regime using the definitions set out at section 68 of the Bill?

- 'sexual entertainment venue'
- 'audience'
- 'financial gain'
- 'organiser'
- 'premises'
- 'sexual entertainment', and
- 'display of nudity'

In order to avoid confusion, all references to adult entertainment should be removed from the liquor legislation provisions.

51. The Bill specifies that a venue hosting sexual entertainment on three occasions or less within a 12 month period would not be treated as a sexual entertainment venue: does this have any unintended consequences?

We would question how this may be enforced? Such an exemption may dilute the positive impact of the proposed legislation.
52. Local licensing authorities will be able to set the number of sexual entertainment venues in their area to below the existing level, or zero: are there any advantages or disadvantages to this approach?

We agree this decision should be left to local authorities.

53. The Bill relies mainly on the existing licensing regime for sex shops as set out in section 44 and Schedule 2 of the Civic Government (Scotland) Act 1982 (application, notification, objections and representations, revocation of licences etc., enforcement and appeals): is this mechanism adequate for the licensing of sexual entertainment venues - if not, please explain why?

We would reference our earlier comments in relation to the 1982 Act requiring to be overhauled and modernised.

54. Are there any barriers to licensing authorities operating the new licensing regime?

Until these provisions are enacted it is difficult to foresee what the barriers will be beyond earlier general comments made relating to the legislation.
55. Civic Licensing

Do you have any other comments to make on the civic licensing aspects of the Bill?

We would re-iterate that the Act is now over 30 years old and it is becoming increasingly difficult to address modern business activity within the structure of the Act.

In addition, penalties for civic offences are not generally commensurate with other licensing regimes e.g. liquor, private landlord registration, HMO licensing.