

Public Petitions Committee
Thursday 24 September 2026
3rd Meeting, 2026 (Session 7)

PE2228: Protect Scotland's volunteer-run community fairs and gala days

Introduction

Petitioner Ewan Irvine

Petition Summary Calling on the Scottish Parliament to urge the Scottish Government to review the increasing licensing, regulatory and financial burdens placed on volunteer-run community fairs and gala days across Scotland.

Website <https://petitions.parliament.scot/petitions/PE2228>

1. This is a new petition that was published on 16 July 2026.
2. A full summary of this petition and its aims can be found at **Annexe A**.
3. Every petition collects signatures while it remains under consideration. At the time of writing, 673 signatures have been received on this petition.
4. A SPICe briefing has been prepared to inform the Committee's consideration of the petition and can be found at **Annexe B**.
5. The Committee seeks views from the Scottish Government on all new petitions before they are formally considered.
6. The Committee has received submissions from the Scottish Government and the Petitioner which are set out in **Annexe C** of this paper.

Action

7. The Committee is invited to consider what action it wishes to take.

Clerks to the Committee
September 2026

Annexe A: Summary of petition

PE2228: Protect Scotland's volunteer-run community fairs and gala days

Petitioner:

Ewan Irvine

Date published:

16 July 2026

Petition summary:

Calling on the Scottish Parliament to urge the Scottish Government to review the increasing licensing, regulatory and financial burdens placed on volunteer-run community fairs and gala days across Scotland.

Background information:

Volunteer-run community fairs and gala days play an important role in bringing local communities together. However, organisers are increasingly concerned that rising costs, growing bureaucracy and complex licensing requirements are placing these events under significant pressure.

In areas such as Edinburgh, organisers report increasing financial and administrative demands associated with requirements from the local authorities, including market operator licences, public entertainment licences, park occupation charges, reinstatement bonds and extensive compliance documentation.

Organisers fully support appropriate public safety measures. However, there is growing concern that the current system lacks proportionality for volunteer-run community events organised for community benefit rather than commercial profit.

There are also concerns regarding inconsistent interpretation of licensing requirements, changing guidance and increasing unpaid workloads for volunteers.

Annexe B: SPICe Briefing



Scottish Parliament
Information Centre
Ionad Fiosrachaidh
Pàrlamaid na h-Alba

Briefing for the Public Petitions Committee on petition PE2228: Protect Scotland's volunteer-run community fairs and gala days

Brief overview of issues raised by the petition

The petition calls on the Scottish Parliament to urge the Scottish Government to review the “increasing licensing, regulatory and financial burdens placed on volunteer-run community fairs and gala days across Scotland”.

According to the petitioner, there are rising costs, growing bureaucracy and complex licensing requirements which are placing these events under significant pressure.

The Scottish Government in its response to the petition states:

“In 2025, the Scottish Government convened a Task Force on Civic Licensing to review a range of existing licensing provisions of the 1982 Act. One of the licensing policy areas being looked at is the legislation in relation to public entertainment licensing. It is expected that a report setting out any proposed reform, recommendations and potential changes to the 1982 Act will be presented to the Scottish Ministers in due course for consideration.”

There is surprisingly little in the way of information about this Task Force other than, when it was established, it was supposed to report in Spring 2026 (see [news release from legal services firm TLT](#)). Given the scope of [the 1982 Act](#) it is likely that its remit will be very broad. It is unclear to what extent the Task Force has consulted with community groups.

Background information

[According to the Scottish Government:](#)

“Celebratory events bring local communities together and will always play a vital role in modern Scotland. They are a powerful expression of community spirit, bringing people together to celebrate their local areas and to share a sense of belonging.”

However, the petitioner, Ewan Irvine, chair of the Corstorphine Fair committee, [told the Edinburgh Evening News](#):

"Yet year after year, organisers face increasing bureaucracy, inconsistent licensing decisions, late documentation, and rising costs that threaten the future of these much-loved events."

The [Gala Day Event Guide](#) published by the City of Edinburgh Council gives an idea of the licensing requirements placed on events organisers in Edinburgh. Of course, the situation may be different for events organisers in other local authority areas.

Licensing regime

Community events and gala days can require a range of licences, depending on the nature of the activities provided. Potential licences include public entertainment licences, street trading licences and food related licences.

These licences come under the “optional” provisions in Parts I and II of the Civic Government (Scotland) Act 1982. They are called the optional provisions because it is up to licensing authorities (local authorities) to decide whether to license the various activities covered by them.

If a local authority does want to license a particular activity, it must pass a resolution setting out the details. A public entertainment licensing resolution must state what forms of public entertainment are covered. Local authorities therefore have considerable discretion about what and how they license under these parts of the 1982 Act. There is significant variation in approaches between local authorities.

The 1982 Act requires that the fees charged by licensing authorities cover their costs (although it is up to local authorities to decide what resources they use for licensing). The fee lists from [Fife Council](#) and [City of Edinburgh Council](#) highlight the contrast between different local authorities’ approaches.

Community events and gala days will often involve activities which would usually require a market operator’s licence. However, there is a specific exemption which appears to cover this type of event in the legislation. Section 40(2)(a) of the 1982 Act states that a market operator’s licence is not required for “functions held by charitable, religious, youth, recreational, community, political or similar organisations”.

It is not clear how this exemption is reflected in City of Edinburgh Council’s guidance or fee structure. [City of Edinburgh Council’s public entertainment licensing resolution](#) would also seem to exempt smaller scale community events.

Previous Parliament work in this area

The Scottish Parliament considered the [Travelling Funfairs \(Licensing\) \(Scotland\) Bill](#) at the end of Session 5. The Bill was brought forward to address concerns from the showperson community about the complexity and inconsistency around public entertainment licensing requirements for travelling funfairs in Scotland.

The Bill did not progress beyond Stage 1, However, the [Policy Memorandum](#) and [SPICe briefing on the Bill](#) provide some insight into this issue and the contrasting approaches of local authorities.

Greig Liddell
Senior Researcher
14 September 2026

The purpose of this briefing is to provide a brief overview of issues raised by the petition. SPICe research specialists are not able to discuss the content of petition briefings with petitioners or other members of the public. However, if you have any comments on any petition briefing you can email us at spice@parliament.scot

Every effort is made to ensure that the information contained in petition briefings is correct at the time of publication. Readers should be aware however that these briefings are not necessarily updated or otherwise amended to reflect subsequent changes.

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Annexe C: Written Submissions

PE2228/A: Protect Scotland's volunteer-run community fairs and gala days

Scottish Government written submission, 27 August 2026

Does the Scottish Government consider the specific ask[s] of the petition to be practical or achievable? If not, please explain why.

While the Scottish Government has responsibility for the overarching legislation, the day-to-day administration of the licensing regime relating to community fairs and gala days is devolved to independent licensing authorities – in effect the 32 Scottish local authorities. All licensing authorities have wide discretion to determine appropriate licensing arrangements according to local needs and circumstances and their own legal advice. It would not be appropriate for the Scottish Government to interfere in any specific issue or issues relating to locally made licensing decisions.

The Civic Government (Scotland) Act 1982 (“the 1982 Act”) provides for a variety of licensing regimes, and local licensing authorities have considerable scope to determine whether to put in place licensing regimes locally and if so, how these should apply, how to consider individual applications and whether to attach conditions to licences. This process allows councillors as representatives of local communities to take local views and any concerns from the community into account.

Within this context, it can be noted that for an event such as a gala day or community fair, the event organiser may be required to apply for a Public Entertainment Licence issued under the 1982 Act. Depending on the make-up of the event and activities on offer, there may also be other types of licence that will be required.

The Public Entertainment Licence is a discretionary licensing regime, meaning that it is entirely at the discretion of licensing authorities to decide which types of entertainment they wish to licence. The decision about what to charge for a licence application is also an issue for individual licensing authorities. More generally, the licensing regimes under the 1982 Act are to be run on a cost neutral basis, as independent bodies it is for local licensing authorities to decide how to manage their resources, and what fees and charges they set to ingather sufficient fee income to cover the costs of administering the licensing regime.

The Public Entertainment Licence is a long-standing part of the licensing regimes in the 1982 Act. Whilst the Scottish Government is not aware of any specific changes made by licensing authorities in recent times that have increased the licensing burden, if there are specific concerns about, say, decisions made by an individual licensing authority, these would best be raised with that licensing authority who can consider and respond accordingly.

What, if any, action is the Scottish Government currently taking to address the issues raised by this petition, and is any further action being considered that will achieve the ask[s] of this petition?

As noted, any issues relating to specific decisions made by licensing authorities can be raised direct with the independent licensing authority.

In 2025, the Scottish Government convened a Task Force on Civic Licensing to review a range of existing licensing provisions of the 1982 Act. One of the licensing policy areas being looked at is the legislation in relation to public entertainment licensing. It is expected that a report setting out any proposed reform, recommendations and potential changes to the 1982 Act will be presented to the Scottish Ministers in due course for consideration.

Is there any further information the Scottish Government wish to bring to the Committee's attention, which would assist it in considering this petition?

The Scottish Government published guidance for local licensing authorities in relation to public entertainment licensing (for funfairs) in 2017 that may be of some interest. The guidance contains further details about the operation of the licensing regime, as set out in the 1982 Act. The guidance can be found at:

- <https://www.gov.scot/publications/civic-government-scotland-act-1982-guidance-public-entertainment-licences-respect/>

**Criminal Law, Practice and Licensing Unit
Scottish Government**

PE2228/B: Protect Scotland's volunteer-run community fairs and gala days

Petitioner written submission, 17 September 2026

I welcome the Scottish Government's response to PE2228 and its confirmation that the Civic Government (Scotland) Act 1982 is currently being reviewed.

However, I do not believe the response fully addresses the central issue raised by the petition: whether the national regulatory framework remains clear, consistent and proportionate for volunteer-run community fairs and gala days.

A national issue, not an individual licensing dispute

The petition does not ask the Scottish Government to intervene in individual licensing decisions.

I recognise that local authorities are independent licensing authorities and require discretion to respond to local circumstances. However, local discretion does not remove the need for a clear national framework.

Volunteer committees need to know, sufficiently far in advance, which licences are required, what documentation is necessary and what costs and obligations will arise.

Where materially different interpretations of national legislation exist between authorities, this creates uncertainty for volunteers organising essentially similar community events in different parts of Scotland.

Market Operator's Licensing and section 40(2)(a)

I particularly ask the Committee to consider section 40(2)(a) of the Civic Government (Scotland) Act 1982.

That provision specifically exempts certain functions held by charitable, religious, youth, recreational, community, political or similar organisations from the requirement for a Market Operator's Licence.

The history of this exemption is significant.

A previous review of civic licensing recommended that the exemption for non-commercial organisations should be repealed. When subsequent legislation was being considered, however, concerns were raised about the effect this could have on charitable and fundraising events. The Scottish Government subsequently confirmed to Parliament that it would amend its proposals so that the existing exemptions for charitable and other groups would be retained.

The exemption therefore remains part of the legislation.

The practical difficulty is understanding how it applies to a modern community fair or gala day.

Volunteer-run events may include commercial traders, food vendors, fairground operators and similar attractions. Their presence does not necessarily alter the fundamental purpose of the event. Such activities can attract visitors, provide entertainment and generate income which helps make the event financially viable.

Different interpretations appear possible. For example, guidance from Perth and Kinross Council states that the exemption applies where there is "no commercial element", which it interprets as 100% of profits being given to the charity or community group.

This raises an important national question: what did Parliament intend the retained statutory exemption to cover?

The Scottish Government's response to PE2228 does not appear to address section 40(2)(a), despite Market Operator's Licensing being one of the issues specifically raised by the petition.

I therefore ask the Committee to seek clarification from the Scottish Government on:

1. how section 40(2)(a) is intended to apply to volunteer-run community fairs and gala days;
2. whether the presence of commercial traders or attractions automatically prevents the exemption applying;
3. what factors authorities should consider in determining whether an event qualifies;

4. whether materially different interpretations are being applied across Scotland; and
5. whether national guidance should now be issued.

National guidance and local discretion

National guidance would not necessarily remove local authority discretion.

The Scottish Government has previously issued national guidance on public entertainment licensing for funfairs under the same 1982 Act. That guidance acknowledges differing approaches between licensing authorities while seeking to encourage best practice across Scotland.

A similar approach could provide greater certainty for community organisations while preserving appropriate local decision-making.

Proportionality

PE2228 does not seek exemption from reasonable public-safety requirements.

The issue is proportionality and cumulative burden.

Licensing fees, occupation charges, bonds, documentation requirements and administrative processes may individually have a justification, but collectively they can place a substantial burden on small committees operated entirely by volunteers.

Increasing complexity also risks discouraging future volunteers. Once a long-established community event disappears because nobody is prepared to take on the regulatory and administrative responsibility, rebuilding it may be extremely difficult.

Current Civic Licensing Review

The Scottish Government confirms that the current Civic Licensing Task Force is reviewing provisions of the 1982 Act.

I would therefore welcome the Committee establishing whether volunteer-run fairs and gala days, Market Operator's Licensing and section 40(2)(a) are within the scope of that work; whether community event organisers have been consulted; and when its recommendations will be published.

Conclusion

This petition is not asking for the removal of appropriate safety regulation or local discretion.

It asks for clarity, consistency and proportionality so that volunteers can continue organising community events without unnecessary regulatory uncertainty.

I respectfully ask the Committee to keep PE2228 open and seek further evidence from the Scottish Government on section 40(2)(a), the current Civic Licensing

Review and the potential for national guidance or legislative reform to protect the future sustainability of volunteer-run community fairs and gala days.