

Coronavirus (COVID-19): Guidance for licensing authorities in relation to operation of licensing in respect of travelling funfairs

This non-statutory guidance is issued by the Scottish Ministers for licensing authorities who deal with applications for licences in respect of travelling funfairs made under the Civic Government (Scotland) Act 1982.

This guidance should be read in conjunction with the sectoral guidance for the tourism and hospitality industry (<https://www.gov.scot/publications/coronavirus-covid-19-tourism-and-hospitality-sector-guidance/pages/overview/>).

The coronavirus outbreak has had an unprecedented impact on Scotland including all sectors of the economy. Those who operate funfairs including travelling funfairs were required to close down operation as a result of Covid-19. As steps are taken to permit funfairs to open once again, the licensing arrangements for funfairs becomes more relevant. In particular, for travelling funfairs a lack of certainty as to the exact date when they would be permitted to re-open means they cannot easily have planned ahead effectively in considering the need for licensing arrangements to be agreed.

The Scottish Government wants licensing authorities to consider sensitively, pragmatically and timeously all applications for travelling funfairs that are being made in light of the re-opening of funfairs. The requirements as laid out in the 1982 Act should of course be adhered to, but there is considerable flexibility within the relevant requirements in respect of how applications are handled including how quickly they are processed.

The Scottish Government expects licensing authorities to seek to prioritise where possible applications made for travelling funfairs. From research undertaken by Richard Lyle MSP as part of preparation of his Travelling Funfairs (Licensing) (Scotland) Bill, it is apparent that some licensing authorities are able to process licensing applications for travelling funfairs within 21 days. The Scottish Government suggests a timescale such as this could usefully become the aim for licensing authorities in dealing with applications as travelling funfairs are able to operate again.

Conclusion

Through the issuing of this non-statutory guidance, the Scottish Government expects a sensitive, pragmatic and timeous approach to be taken in terms of assessing licensing applications for travelling funfairs.