

THE MORAY COUNCIL

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

**NOTICE OF MAKING OF RESOLUTION TO LICENCE
SEXUAL ENTERTAINMENT VENUES IN MORAY**

NOTICE IS HEREBY GIVEN that a Resolution in terms of Section 45B of the Civic Government (Scotland) Act 1982, was passed by the Moray Council as Licensing Authority on 6 November 2019, whereby as from 6 November 2020 places and activities of sexual entertainment shall require to be licensed in accordance with the provisions of the above Act, shall be regulated by those provisions and a Sexual Entertainment Venue Licence shall be required.

RESOLUTION

THE MORAY COUNCIL, as the Licensing Authority for Moray, by virtue of the powers conferred on them by Section 45B of the Civic Government (Scotland) Act 1982 as amended by the Air Weapons and Licensing (Scotland) Act 2015, **DO HEREBY RESOLVE** that as from the 6 November 2020 the provisions of Schedule 2 of the Civic Government (Scotland) Act 1982 (as modified by Section 76 of the Air Weapons and Licensing (Scotland) Act 2015) is to have effect in the Moray Council area in relation to Sexual Entertainment Venues.

GENERAL EFFECT

This Resolution means that:

(First) as from 6 November 2020 places and activities of sexual entertainment shall require a licence in accordance with the provisions of the Civic Government (Scotland) Act 1982 as amended.

(Second) no person shall use any premises, vehicle, vessel or stall as a sexual entertainment venue unless they have a licence granted by the Moray Council under the relevant legislation and they are complying with the terms of that licence.

(Third) that any application for such a licence shall be in accordance with the provisions referred to as well as further legislative provision and forms, guidance, policies and other information published from time to time on the Moray Council website pages and as part of the application process fees will be required, there will be public notice of the application together with an opportunity for third parties to object to or make representations on the application. The licence may then be granted, granted with conditions or refused and if granted there will be means for licences to be renewed, varied, transferred, surrendered or revoked.

(Fourth) the Council as licensing authority will keep a public register of applications and licences.

(Fifth) carrying on the licensable activity without a licence where a licence is required will be an offence and knowingly or recklessly making a false statement on an application for a licence will be an offence.

(Sixth) that authorised officers of the licensing authority have the right to enter and inspect any premises to which a licence is already in force or has been applied for.

(Sixth) to adopt the “***Standard Conditions for Sexual Entertainment Venues***”.

Allowing for standard conditions from the Scottish Government as well as the Committee through the licence process

(Seventh) that the foregoing resolution is made in relation to the whole of the local government area of Moray being the area of the licensing authority.

Application forms are available from Council Offices, High Street, Elgin and from The Moray Council’s Website.

Head of Legal and Democratic Services

Council Headquarters,
High Street,
ELGIN.