



West Lothian  
Council

Form amended August 2019

THEATRES ACT 1968  
APPLICATION FOR THE GRANT/ RENEWAL\*  
OF THEATRE LICENCE (INDIVIDUAL)  
\*DELETE AS APPROPRIATE

IT IS STRONGLY ADVISED THAT YOU READ THE GUIDANCE NOTES BEFORE COMPLETING THIS APPLICATION AS INCOMPLETE APPLICATIONS OR APPLICATIONS SUBMITTED ON THE WRONG FORM WILL NOT BE ACCEPTED AND WILL BE RETURNED BY SECOND CLASS POST DELAYING YOUR APPLICATION. IF YOU PROVIDE AN EMAIL ADDRESS BELOW THIS WILL ALLOW US TO CONTACT YOU QUICKER REGARDING YOUR APPLICATION.

FOR OFFICIAL USE ONLY

Date of receipt of application		Receipt no.	
Acknowledgement		Deadline for initial decision	
Fee paid		Deadline for final decision	
Date to Police Scotland		Date to committee	
Date to EH		Decision	
Date to Scottish Fire & Rescue Service		Date of determination	

Applicants for the grant or renewal of a theatre licence must give notice of intention to make the application to the Licensing Team and Police Scotland not less than 28 days before making an application. Please tick the box opposite to confirm that you have done so.

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Question 1 – Personal details

First name	Middle name(s)	Surname
Age	Date of birth	Place of birth
Previous name(s)		National Insurance Number
Length of time resident in the UK		Nationality
Permanent address		Previous address
Post code		Post code
Time resident at this address		E-mail address
Telephone number		Mobile number

Question 2 – Day to day manager

Does the person named in Question 1 propose to carry on the day to day management of the licence to which the application relates? If no please give manager's details below.			YES/NO*
First name	Middle name(s)	Surname	
Age	Date of birth	Place of birth	
Previous name(s)		National Insurance Number	
Length of time resident in the UK		Nationality	
Permanent address		Previous address	
Post code		Post code	
Time resident at current address			
Telephone number		Mobile number	
		E-mail address	

Question 3 – Premises details

(a) Name of place or address or premise(s) to be licensed	Name: Address: Postcode:
(b) Specify the period for which a licence is required	
(c) Telephone no. of the premises	
(d) State the maximum number of persons to be admitted to the premises at any time	
(e) Please provide the name and contact details of an individual with whom an inspection of the premises can be arranged	

Question 4 – Type of licence

Is this a renewal application?	yes/no
If yes, what is the licence number and renewal date?	
Has anyone named in this application ever applied for and been refused a licence by any council?	yes/no
If yes, which council refused the licence and by whom was the application made?	
When was it refused?	
Has anyone named in this application ever held a licence which was suspended or revoked?	yes/no
If yes, which council suspended or revoked the licence?	

Question 5 – Further details

Has anyone named in this application been convicted of any crime or offence? If answer is yes please provide details below; continue on separate sheet if necessary.			yes/no*
Date	Court	Offence	Sentence

SUBJECT TO THE REHABILITATION OF OFFENDERS ACT 1974, ALL UNSPENT CRIMES AND OFFENCES MUST BE DECLARED (SEE NOTE 5 OF THE ATTACHED GUIDANCE NOTES).

Signing this form – Individual applicants or their agents should sign the declaration below

Question 6 - Declaration by applicant

I declare that the information given by me on this form is correct to the best of my knowledge and belief.

Date	Signature of applicant	
	Print name of applicant	

If the application is being signed by an agent on behalf of the individual please sign and complete the boxes below

Date	Signature of agent	
	Print name of agent	
	Address of agent	

Privacy Statement – Data Protection

All personal information that you supply will be used to process your application in accordance with data protection law and the Theatres Act 1968. In terms of the 1968 Act we are required to share this information with the following bodies:-

- Police Scotland; and
- the Scottish Fire and Rescue Service or other enforcing authority under Part 3 of the Fire (Scotland) Act 2005

We are required by law to protect the public funds we administer. Therefore in line with the National Fraud Initiative (NFI) we may also share your information with other bodies responsible for auditing or administering public funds in order to prevent and detect fraud.

Further information about how we handle your personal information, including how long we retain the information, information about the NFI and how you can complain about our handling of your information, is available in our Privacy Notice which can be found on the Licensing Team's webpage <https://www.westlothian.gov.uk/licensing>. A copy of our Privacy Notice is available on request by contacting the Licensing Team, email: [licensing@westlothian.gov.uk](mailto:licensing@westlothian.gov.uk), telephone: 01506 281632.

## **GUIDANCE NOTES THEATRE LICENCE**

1. Applicants must give notice of intention to make the application to the Licensing Team and Police Scotland, Civic Centre, Howden South Road, Livingston, EH54 6FF not less than 28 days before making the application. Please ensure that you have ticked the box on page 1.
2. A licence is required for any premises or any place where it is intended to perform a play in public, whether or not the performance is free.
3. The person organising the public performance of a play and the person in control of the premises to be used (the manager) need to decide between themselves who should hold the Theatre Licence and ensure that a licence is in effect, otherwise both could be guilty of a criminal offence. Either person can apply for a Theatre Licence

“Public Performance” includes any performance of play in a public place – this includes any premises, highway, road or any open space to which, for the time being, the public are admitted to have access whether on payment or otherwise or

“Play” means

- (a) Any dramatic piece, whether involving improvisation or not, which is given wholly or in part by one or more persons actually present and performing and in which the whole or major proportion of what is done by the person or persons performing, whether by way of speech, singing or action, involves the playing of a role and;
- (b) Any ballet given wholly or in part by one or more persons actually present and performing, whether or not it falls within paragraph (a) of this definition.

A Theatre Licence is required even if the premises are licensed to sell alcohol or a public entertainment licence is already held.

4. If the applicant is a business or organisation there requires to be a day to day manager listed on the application form at question 2. If the applicant is an individual it is optional whether a day to day manager is appointed. There are separate forms for individuals and businesses so please check you are completing the correct form.
5. Any person who in or in connection with the making of this application makes any statement which they know to be false or recklessly makes any statement which is false in a material particular shall be guilty of an offence and liable, on summary conviction to a fine not exceeding £2500. In relation to question 5, if there is doubt as to which offences are spent, applicants should seek legal advice before completing this form. Details of all of your convictions are available on payment of a fee from any police station. In terms of the Theatre Act 1968, for the purposes of this application the person signing the form is responsible for its contents. If the application is signed by an agent full details of that agent must be provided.

6. When making an application for the first time the form when completed, must be submitted by the day to day manager in person to Livingston CIS, Arrochar House, Almondvale Boulevard, Livingston along with the required fee and:-

- The manager's photocard driving licence or
- Passport and proof of current home address i.e recent utility bill.

The address given in the application form must match the ID documentation. Livingston CIS staff will copy the evidence of identity and immediately return the documentation. Details of the current licensing fees can be found on the Council's website – [www.westlothian.gov.uk](http://www.westlothian.gov.uk).

7. If the application is for the renewal of an existing licence and is submitted prior to the expiry of the licence then the form can be posted direct to The Licensing Team, Legal Services, West Lothian Council, West Lothian Civic Centre, Howden South Road, Livingston, West Lothian, EH54 6FF along with a cheque/postal order with the required fee and proof of the current home address of the day to day manager given in the application. Alternatively it can be lodged at Livingston CIS. Applications with payments enclosed cannot be handed in to the Civic Centre.
8. All applications for temporary licences must be submitted a minimum of 35 days in advance of the event (although it is recommended that applications are made at least 3 months before if the premises are only used occasionally for plays) in order to allow the relevant advisors sufficient time to carry out all the necessary checks in relation to the application. It is council policy that such applications will not be processed if they are not received at least 35 days in advance of the event.
9. 1 copy of a plan of the premises showing the seating capacity, fire escapes, toilets and catering facilities (if any) must be provided with this application along with a copy of the public liability insurance covering the premises.
10. Please ensure that this application is fully completed and that all required documents are lodged along with it. Incomplete applications will be returned for amendment and resubmission.
11. Once your application is complete it will be processed. You will receive an acknowledgement once your application is complete. We will then contact you once vetting is complete. Most applications are determined within 60 days but applications which require to be referred to the Licensing Committee for a decision will take longer to be determined. In the event of an application being refused or withdrawn after being processed, no refund of the application fee paid will be made.
12. To contact the Licensing Team please email [licensing@westlothian.gov.uk](mailto:licensing@westlothian.gov.uk) or call 01506 281632. Please note that if you are directed to our voicemail, please leave a message with your name and number, and we will phone you back. Please note that the team cannot provide advice as to whether a licence is required. Applicants should seek legal advice from a solicitor or advice centre.