



Licensing (Scotland) Act 2005 Application for a Premises Licence or Provisional Premises Licence

APPLICANT INFORMATION

Question 1

Name, Address and Postcode of Premises to be Licensed

Question 2

Particulars of Applicant

2(a) Where Applicant is an Individual, Provide Full Name, Date and Place of Birth, and Home Address including Postcode.



2(b) Where Applicant is a Partnership, please provide Full Name, and Postal Address of Partnership.

2(c) Where Applicant is a Company, please provide Name, Registered Office And Company Registration Number.

2(d) Where the Applicant is a Club or Other Body, please provide Full Name, and Postal Address of Club or Other Body.

2(e) Where Applicant is a Partnership, Company, Club or Other Body, please Provide the Names, Dates and Places of Birth and Home Address of Connected Persons*

***Connected Person is defined in section 147(3) of the Licensing (Scotland) Act 2005**

For the Purposes of this Act, a person is, in relation to a partnership, a company, a club or other body (whether incorporated or unincorporated), a connected person if the person-

- (a) in the case of partnership is a partner,
- (b) in the case of a company-
 - (i) is a director, or
 - (ii) has control of the company
- (c) in the case of a club, is an office bearer of the club,
- (d) in any other case, is concerned in the management or control of the body.



For the Purposes of subsection (3)(b)(ii) and this subsection, a person is taken to have control of a company if-

- (a) any of the directors of the company, or of any other company having control of the company, is accustomed to act in accordance with the person's directions or instructions, or
- (b) the person is entitled to exercise, or to control the exercise of, at least one third of the voting power at any general meeting of the company or of any other company having control of the company.

Question 3

Previous Applications

Has the Applicant been refused a Premises Licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same Premises? **Yes/No***

If Yes – Provide Full Details

Question 4

Previous Convictions

Has the Applicant or any Connected Person ever been Convicted of a relevant or Foreign Offence (a) **Yes/No***

If Yes – Provide Full Details

Licensing Board



**Clackmannanshire
Council**

www.clacksweb.org.uk

For the Purpose of this Act, a Conviction for a Relevant Offence of Foreign Offence is to be disregarded if it is Spent of the purpose of the Rehabilitation of Offenders Act 1974

Name & Position (if Applicable)	Date of Convictions or Sentence	Court	Offence	Penalty

- (a) In Addition to any convictions held by the applicant at the time of application, applicant should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

Applicant's Duty to Notify Licensing Board of Convictions

- (1) This section applies where any of the persons specified in subsection (2) is convicted of a relevant or foreign offence during the period beginning with the making of a premises licence application and ending with determination of the application.
- (2) Those persons are-
 - (a) the applicant, and
 - (b) where-
 - (i) the applicant is neither an individual nor a council, or
 - (ii) the premises in respect of which the licence is sought are used wholly or mainly for the purposes of a club.
any connected person.
- (3) The applicant must, no later than one month after the date of the conviction give notice of the conviction to the Licensing Board to which the application was made.
- (4) A notice under subsection (3) must specify-
 - (a) the nature of the offence, and
 - (b) the date of the conviction.

Licensing Board



**Clackmannanshire
Council**

www.clacksweb.org.uk

DESCRIPTION OF PREMISES Licensing (Scotland) Act 2005, section 20(2)(a)

Question 5

Description of Premises (where Application is Submitted by a Member's Club please also complete question 6)

Question 6

To be completed by Member's Club Only

Do the Club's Constitution and Rules Conform to
The requirements of regulation 2 of the Licensing
(Clubs) (Scotland) Regulations 2007

Yes/No*

*Delete as appropriate

A Copy of the Club's Constitution & Rules **MUST** Be Included With
The Application

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If Signing on Behalf of the Applicant please State in what Capacity

The contents of this Application are true to the best of my knowledge and belief.

Signature * (see note below)

Date

Capacity APPLICANT/AGENT
(delete as appropriate)

Telephone number and email address of signatory

.....

Licensing Board



**Clackmannanshire
Council**

www.clacksweb.org.uk

I Have Enclosed the Relevant Documents with this Application – Please Tick the Relevant Boxes

Operating Plan	
Layout Plan	
Planning Certificate	
Building Standards Certificate	
Food Hygiene Certificate	

***Data Protection Act 1998**

The Information on this Form may be held on an Electronic Public Register which may be available to Members of the Public on Request



<u>FOR USE BY THE LICENSING BOARD ONLY</u> <u>APPLICATION CHECKLIST</u>	
DATE RECEIVED	
FEE AMOUNT	
RECEIPT NUMBER	
RECEIVED BY (INITIALS)	
CONSIDERATION DATE	
LAST DATE FOR CONSIDERATION	
DATE OF INITIAL HEARING	
DATE GRANTED/REFUSED (delete as appropriate)	

<u>FOR USE BY THE LICENSING BOARD ONLY</u> <u>IF APPLICATION IS FOR A PREMISES LICENCE</u> <u>DOCUMENTS REQUIRED</u>	
OPERATING PLAN	
LAYOUT PLAN	
PLANNING CERTIFICATE	
BUILDING STANDARDS CERTIFICATE	
FOOD HYGIENE CERTIFICATE	

<u>FOR USE BY THE LICENSING BOARD ONLY</u> <u>IF APPLICATION IS FOR A PROVISIONAL PREMISES LICENCE</u> <u>DOCUMENTS REQUIRED</u>	
PROVISIONAL PLANNING CERTIFICATE	
OPERATING PLAN	
LAYOUT PLAN	



OPERATING PLAN

Licensing (Scotland) Act 2005, section 20(2)(b)(i)

Question 1

STATEMENT REGARDING ALCOHOL BEING SOLD ON PREMISES/OFF PREMISES OR BOTH

1(a) Will alcohol be sold for consumption solely ON the Premises?	YES/NO*
1(b) Will alcohol be sold for consumption solely OFF the Premises?	YES/NO*
1(c) Will alcohol be sold for consumption both ON and OFF the Premises?	YES/NO*

*Delete as appropriate

Question 2

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **ON** PREMISES

DAY	ON CONSUMPTION	
	OPENING TIME	TERMINAL HOUR
MONDAY		
TUESDAY		
WEDNESDAY		
THURSDAY		
FRIDAY		
SATURDAY		
SUNDAY		

Licensing Board



Clackmannanshire
Council

www.clacksweb.org.uk

Question 3

STATEMENT OF **CORE** TIMES WHEN ALCOHOL WILL BE SOLD FOR CONSUMPTION **OFF** PREMISES

DAY	ON CONSUMPTION	
	OPENING TIME	TERMINAL HOUR
MONDAY		
TUESDAY		
WEDNESDAY		
THURSDAY		
FRIDAY		
SATURDAY		
SUNDAY		

Question 4

SEASONAL VARIATIONS

Does the Applicant intend to operate according to Seasonal Demand	YES/NO*
*If YES – provide details	

Licensing Board



**Clackmannanshire
Council**

www.clacksweb.org.uk

Question 5

PLEASE INDICATE THE OTHER ACTIVITIES OR SERVICES THAT WILL BE PROVIDED ON THE PREMISES IN ADDITION TO SUPPLY OF ALCOHOL

1	2	3	4
	Please Confirm	To Be Provided During Core Licensed Hours	Be Provided Outwith Core Licensed Hours
	YES/NO	YES/NO	YES/NO
5(a) Activity			
Accommodation		N/A	N/A
Conference Facilities			
Restaurant Facilities			
Bar Meals			
5(b) Activity - Social Functions Including:			
Receptions Including Wedding, Funerals, Birthdays, Retirements Etc.			
Club of Other Group Meetings etc.			
5(b) Activity - Entertainment Including:			
Recorded Music (see 5g)			
Live Performance (see 5g)			
Dance Facilities			
Theatre			
Films			
Gaming			

Licensing Board



Clackmannanshire Council

www.clacksweb.org.uk

Indoor/Outdoor Sports			
Televised Sport			
5(d) Activity			
Outdoor Drinking Facilities			
5(e) Activity			
Adult Entertainment*			

* Adult Entertainment means any form of entertainment which-
 (a) involves a person performing an act of an erotic or sexually explicit nature; and
 (b) is provided wholly or mainly for the sexual gratification or titillation of the audience

Where you have answered **YES** in respect of any entry in Column 4 above, please provide further details below

5(f) Any Other Activities

If you propose to provide any activities other than those listed in 5(a) – (e) please provide details or further information in the box below

5(g) Late Night Premises Opening after 1.00am

Where You Have Confirmed That You Are Providing Live or Recorded Music Will The Decibel Level Exceed 85dB	YES/NO*
When Fully Occupied Are There Likely To Be More Customers Standing Than Seated	YES/NO*

*Delete As Appropriate

Licensing Board

Question 6 (On-Sales only)



Clackmannanshire
Council

www.clacksweb.org.uk

CHILDREN AND YOUNG PERSONS

6(a)	When Alcohol Is Being Sold For Consumption On The Premises Will Children Or Young Persons Be Allowed Entry	YES/NO*
------	--	---------

6(b) Where the answer to 6(a) is YES provide statement of the **TERMS** under which they will be allowed entry

6(c) Provide Statement Regarding the **AGES** of children or Young Persons to be Allowed Entry

6(d) Provide Statement Regarding the **TIMES** During Which Children and Young Persons will be Allowed Entry

Licensing Board



**Clackmannanshire
Council**

www.clacksweb.org.uk

6(e) Provide Statement Regarding the **PARTS** of the Premises to Which Children and Young Persons Will Be Allowed Entry

Question 7

CAPACITY OF PREMISES

What is the Proposed Capacity of the Premises to Which This Application Relates?

Question 8

PREMISES MANAGER (**NOTE Not Required Where Application is For Grant of Provisional Premises Licence**)

Personal Details

8(a) Name

8(b) Date of Birth

Licensing Board



**Clackmannanshire
Council**

www.clacksweb.org.uk

8(c) Contact Address

8(d) Email Address

8(e) Personal Licence

Date of Issue	Name of Licensing Board Issuing	Reference No. Of Personal Licence

DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If Signing on Behalf of the Applicant Please State in What Capacity.

The Contents of This Operating Plan Are True to the Best of my Knowledge and Belief.

Signature * (See Note Below)

Date

Capacity **APPLICANT/AGENT**
(Delete as appropriate)

Telephone Number and Email Address of Signatory

.....
.....

*** Data Protection Act 1998**

The Information on this Form May be Held on an Electronic Public Register Which May be Available to Members of the Public on Request



ARTICLE 18 & 19

APPLICATIONS TO WHICH SPECIAL PROCEDURE APPLIES – FULL LICENCE HELD

- 18 – (1) An application falls within this article if each of paragraphs (2) to (4) apply in respect of it.
- (2) The application must relate to premises in respect of which at the time that application is made there is in force a relevant permission granted-
- (a) before the beginning of the transitional period, or
 - (b) following upon a provisional grant of a licence made before the beginning of that period.
- (3) The operating plan and layout plan which accompany the application under sub- paragraphs (i) and (ii) of section 20(2)(b) of the 2005 Act must show that-
- (a) it is proposed that-
 - (i) the size and capacity of the premises;
 - (ii) the general nature of the premises; and
 - (iii) any entertainment to be provided on the premises,are to be substantially the same as at the date of the application; and
 - (b) alcohol is not to be sold on the premises outside the hours authorised by the relevant permission (whether by virtue of the original grant or by virtue of section
 - (c) 57,58, 59, 60 or 64 of the 1976 Act(a)).
- (4)The application must be made by the appropriate date, determined in accordance with article 20.

APPLICATIONS TO WHICH SPECIAL PROCEDURE APPLIES- PROVISIONAL LICENCE HELD

- 19 – (1) An application falls within this article if each of paragraphs (2) to (4) apply in respect of it.
- (2) The application must relate to premises in respect of which at the time the application is made there is in effect a licence under Part 11 of the 1976 Act-
- (a) which was provisionally granted prior to the beginning of the transitional period; and
 - (b) the provisional grant of which has not yet been declared final.
- (3) The operating plan and layout plan which accompany the application under sub- paragraphs (i) and (ii) of section 20(2)(b) of the 2005 Act must show that-
- (a) it is proposed that-
 - (i) the size and capacity of the premises;
 - (ii) the general nature of the premises; and
 - (iii) any entertainment to be provided on the premises,are to be substantially the same as at the date of the application; and led to the provisional grant under the 1976 Act; and
 - (b) alcohol is not to be sold on the premises outside the hours authorised by the licence provisionally granted under the 1976 Act.
- (4) The application must be made by the appropriate date, determined in accordance with article 20.

Licensing Board



**Clackmannanshire
Council**

www.clacksweb.org.uk

Please return the completed form together with the relevant fee to:

**The Licensing Administrator
Clackmannanshire Council
Kilncraigs
Alloa
FK10 1EB**

If you require further information please contact June Andison on telephone number 01259 452093 or e-mail address licensing@clacks.gov.uk