



The Licensing (Scotland) Act 1976

The 1976 Act states that a licence is required for the sale of alcohol to the public. Renfrewshire Licensing Board is responsible for the granting of licences for various premises where alcohol is sold, including pubs, hotels, nightclubs, restaurants and off sales.

How do I find out about an application?

To obtain a licence, an applicant must make an application to the Licensing Board. Applications are advertised in the local press 4 weeks before the Licensing Board's meetings in January, March, June and October of each year.

If you want more details you can look at the application at the licensing office. The address and opening hours can be found on the back page of this leaflet.

In addition, applicants for a new licence must display a site notice at the premises, and notify occupiers of the building the premises are located in. The notice must be displayed for at least 21 days before the Licensing Board meeting.

Can I object?

The 1976 Act states that only the following may object to a licence application:

- Owners or occupiers of property in the neighbourhood
- A community council
- A local church
- The Chief Constable
- The Firemaster
- Renfrewshire Council

How do I object?

If you want to object to an application for a new licence, you must do so in writing. The 1976 Act states that you can only object on one or more of the following grounds:

Section 17(1)

- (a) That the applicant is not a fit and proper person to be the holder of a licence.
- (b) That the premises are not suitable or convenient for the sale of alcohol because of their location, character and condition, the nature and extent of their proposed use, or the persons likely to resort to the premises.
- (c) That the use of the premises for the sale of alcohol is likely to cause undue public nuisance or a threat to public order or safety.
- (d) That having regard to the number of licensed premises in the locality, a further grant would result in over provision of licensed premises.

Your letter should include as much information as possible, and state which of the 4 grounds of objection is relevant to you. If possible, try to give evidence to support your letter. For example, if you are objecting because the applicant is not a fit and proper person, explain why you think this is the case.

You must sign your letter and your address must be included, otherwise the Licensing Board will not be able to consider it.

When and to whom do I send my letter of objection?

Your objection letter must be received by the Clerk to the Licensing Board no later than 7 days before the Board meeting. This date is given in the local press as well as the site notice. If your letter is not received in time, the Licensing Board may not be able to consider it.

Your letter must be sent or hand-delivered to the Clerk to Renfrewshire Licensing Board. The address and office opening hours are given on the back of this leaflet. You must hand deliver or send by registered post or recorded delivery an identical copy of your letter to the applicant. Their address can be found on the application for a licence, the newspaper advertisement or the site notice.

What will happen next?

Every person who objects to a licence application is invited to attend the Licensing Board meeting at which the application is to be considered. The meetings are held in the Civic Suite, North Building, Council Headquarters, Cotton Street, Paisley and start at 10 am. Often there are many applications to be considered and you might have to wait for your objection to be heard.

When the application calls, you will be asked to speak in support of your letter. The applicant or their solicitor will then speak in support of the application. Licensing Board Members may ask questions, and then they will decide whether or not to grant the application.

If you are unable to attend the Licensing Board meeting you may appoint someone to represent you. If you do not attend the meeting, or are not represented, your objection will still be considered by the Licensing Board, but you will have no right of appeal against the Licensing Board's decision on the application.

If I am unhappy with the decision of the Licensing Board?

You can ask the Clerk to the Licensing Board for a Statement of Reasons for the Licensing Board's decision within 48 hours of the decision being made. These will be given in writing within 21 days.

If the Licensing Board has granted an applicant a licence despite your objection, you may appeal to the Sheriff against the decision. You are not entitled to appeal if you did not attend or were not represented at the Licensing Board meeting.

The sheriff must receive your appeal within 14 days of the Licensing Board meeting, or if you have requested a Statement of Reasons, within 14 days of receipt of the written Reasons from the Clerk.

You are advised to consult your own solicitor if you wish to lodge an appeal.

If you require any further information, you may obtain assistance from:

The Clerk to Renfrewshire Licensing Board
Legal Services Division
Corporate Services Department
Renfrewshire Council
North Building
Cotton Street
Paisley, PA1 1TT

Tel: 0141 840 3442
Fax: 0141 840 3556
email: licensing.cs@renfrewshire.gov.uk

Office Hours:

Mon - Thurs: 8.45am - 4.00pm
Friday: 8.45am - 3.15pm

Should you require a copy of this leaflet in large print please

contact:

Tel: 0141 840 3442



**RENFREWSHIRE
LICENSING BOARD**

The Clerk to the Licensing Board
Licensing Section
Council Headquarters
3rd Floor
North Building
Cotton Street
Paisley, PA1 1TT
Tel: 0141 840 3442
Fax: 0141 840 3566
www.renfrewshire.gov.uk

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How to object to an application
for a liquor licence