

Why do I need a late hours catering licence?

A licence is required for premises selling food or refreshments which intend to trade during the hours after 11pm or before 5am. The licence acts as an extension to normal trading hours.

Renfrewshire Council normally grants a late hours catering licence with the following maximum trading hours: Sunday to Thursday: 11pm to 12 midnight, Friday and Saturday: 11pm to 2am. Any application for hours outwith these will be treated on their own merits.

Applications

The licence itself may be held in the name of a firm or company (i.e. non natural person) or in the name of an individual. Please ensure that you complete every part of the form. If a question is irrelevant please mark it "not applicable" unless otherwise stated.

For renewal applications, applicants are solely responsible for ensuring their renewal application form is lodged timeously, ideally around 6 weeks prior to the expiry date of the licence. Failure to lodge the renewal before the expiry date of the current licence will result in the licence lapsing.

Checks on Entitlement to Work

- For all applicants, evidence must be produced of entitlement to work in the United Kingdom, whether applying for a new licence or to renew an existing one. British citizens require to provide their current passport with the application. If an applicant does not have a current passport, then other documents must be provided as an alternative form of evidence. Information on alternative forms of evidence can be found on the Government website detailed below.
- For an EU national, the applicant's passport must be provided with the application.
- If neither a British citizen nor an EU national, the applicant's passport and residence permit confirming an entitlement to work in the UK must be provided.
- Original documents require to be exhibited and will be copied and returned to applicants.
- The application may also be passed to the UK Border Agency in relation to any issues arising on the applicant's entitlement to work in the United Kingdom.

Please see www.gov.uk for a full list of alternative documents that prove an individual's right to work in the UK.

Checks on Previous Convictions

For applicants seeking a new licence, and who were born or have been resident outside the UK for 6 months or more, there must be produced with the application form documentation in relation to criminal record checks.

Applicants need to provide:

- If the applicant was born outwith the United Kingdom, a criminal record check must be provided from his or her country of origin. Applicants must also provide a criminal record check from any other country in which they have been resident for six months or more.
- If the applicant was born in the United Kingdom, but has lived in any other country or countries for six months or more, they must provide a criminal record check from those countries.
- In all cases, the criminal record checks provided must have been obtained within the six months prior to submitting the application and must be verified by the relevant UK based Embassy/High Commission where obtained from authorities outwith the United Kingdom.

We will not accept your application unless you can exhibit each of the above listed documents as appropriate. The documentation will be verified by a Customer Service Advisor and returned to you immediately.

Application Fees

Payment is due at the time of lodging. For application fees, please refer to the Civic Licensing Application Fees on our website at www.renfrewshire.gov.uk

No refund of application fees will be made for applications which are subsequently refused or withdrawn.

Display of Public Notice

The enclosed **display notice** requires to be completed and displayed at the location or premises to which the licence relates, for a period of 21 days, starting on the day the application is lodged at the licensing office. The 21 days will not commence until the application has been received at the Licensing Section and accepted as a valid application. If you are in any doubt about these dates, please email the Licensing Section on licensing.cs@renfrewshire.gov.uk or by telephone on 0300 300 0300 for clarification.

Compliance Certificate

On the reverse side of this display notice is a **certificate of compliance** which requires to be completed **after** the 21 days date and returned to the licensing office. The dates on this certificate must reflect the 21 days that the notice was displayed.

Both the **display notice** and the **certificate of compliance** must be produced at the licensing office once the 21 days date is over.

Prior Refusal

If you have applied for and been refused an application for a late hours catering licence by Renfrewshire Council then, unless there has been a material change in circumstances, you cannot apply for the same kind of licence within one year of the date of refusal.

Processing your application

When your application is lodged and the appropriate fee has been paid, a copy of your application will be sent to Police Scotland, Scottish Fire & Rescue and various Council departments. They will carry out their own investigations and inspections and report back to the licensing office.

The legislation allows for consideration of the application within three months and a decision within nine months.

If an objection or representation is received in relation to your application, you will be sent a copy of the letter. Your application and the letter of objection or representation will then be referred to the Regulatory Functions Board meeting. You will be called to a hearing before the Board and given the opportunity of addressing the Board.

Right of Appeal

If your application is refused, or granted conditionally, you are entitled to ask the Council within 21 days to give reasons for such refusal, or the imposition of such conditions, and thereafter (within 28 days of the Board's decision) entitled to appeal to the Sheriff against the decision on certain grounds.

If there is an objection to your application and the application is subsequently granted the objector can also ask the Council to give reasons for such grant and thereafter is (within 28 days of the Board's decision) entitled to appeal to the Sheriff also.

You may wish to seek independent legal advice in relation to any appeal.

Conditions of Licence

Renfrewshire Council may attach additional conditions to the licence as it sees fit, with each application being dealt with on its own merits.

Duration of Licence

Applications for the grant of a licence are generally granted for a period of one year, whilst applications to renew an existing licence are normally granted for a two year period.

Any Further Questions

Should you have a query that is not covered in these guidance notes please feel free to contact the licensing section

Contact Details

Tel: 0300 300 0300

E-mail: licensing.cs@renfrewshire.gov.uk

Website: www.renfrewshire.gov.uk

Or write to:

Renfrewshire Council
Licensing Section
Renfrewshire House
Cotton Street
Paisley PA1 1TT

Late Hours Catering Licence Conditions

1. The premises shall be used for the purpose herein before stated during the following hours

DAYS AND HOURS OF OPERATION

and shall not be used for that purpose at any time outwith these hours on any date between 11.00pm and 5.00am the following morning unless under the authority of an exemption granted in terms of Section 42(5) of the said Act.

2. The reference herein to the sale of meals or refreshment is a reference to the sale of meals or refreshment for consumption on as well as off the premises.
3. The licence holder shall not in any way alter, erase or deface this licence and shall when reasonably required, produce it for examination by any officer of Renfrewshire Council or any police officer.

Display Notice

Civic Government (Scotland) Act 1982

Application for the

(insert grant or renewal)

of a

(insert type of licence applied for)

licence

I declare that an application as detailed above has been made to Renfrewshire Council. A copy of the application form lodged with Renfrewshire Council is displayed opposite.

Any objection or representation relating to the application should be made to the Renfrewshire Council, Licensing Section, Renfrewshire House, Cotton Street, Paisley, PA1 1TT

before

(insert 28 days from the date the application is lodged with Renfrewshire Council)

Any objection or representation must be in writing and:

- must specify the ground of the objection or the nature of the representation,
- must specify the name and address of the person making it,
- must be signed by him/her or on his behalf.

Such a representation shall be considered to have been made within the period referred to if it is delivered by hand within that period or posted (by registered or recorded delivery post) so that in the normal course of post it might be expected to be delivered within that period.

It should also be noted that where an objection or representation is made to the Council after the date referred to but before a final decision is taken on the application, it is competent for the Council to entertain if it is satisfied that there is sufficient reason why the objection or representation was not made within the period of time stated.

Signed (by applicant)	PLEASE PRINT NAME:
-----------------------	--------------------

This site notice must be displayed for the whole of the period of 21 days at, or near, the premises so that it can be conveniently read by the public.

Certificate of Compliance

Civic Government (Scotland) Act 1982

I,

(insert name of applicant)

applicant for a

(insert type of licence applied for)

licence

hereby certify that the Notice has been posted at or near the premises at:

(insert address of premises)

from:

(insert date notice displayed)

to:

(insert 21 days date thereafter)

containing such information as is required by paragraph 2(3) of Schedule 1 to the above Act.

* Where the said Notice was removed, obscured or defaced during the abovementioned period, I took reasonable steps for its protection and replacement as follows:- (give details and circumstances)

Date:		Signature:	
-------	--	------------	--

Please complete this form **after** the 21 days date and return to:-

Renfrewshire Council
Licensing Section
Renfrewshire House
Cotton Street
Paisley
PA1 1TT

* Please delete if inapplicable

