

# RENFREWSHIRE LICENSING BOARD

## Occasional Licence

### Why do I need an occasional licence?

You need an occasional licence under the Licensing (Scotland) Act 2005 if you wish to be authorised to sell alcohol on a premises that is not licensed.

### Who can apply for an occasional licence?

- A holder of a premises licence
- The holder of a personal licence
- A representative of any voluntary organisation

### Making your application for an occasional licence

All applications for occasional licence should to be made at least 28 days from the date of the event. Applications lodged later will be accepted but may not be granted due to the timescales involved.

You can download an application pack from <http://www.renfrewshire.gov.uk/article/3203/Occasional-Licences> and email your application, along with the supporting documentation to [customerservice.licensing@renfrewshire.gov.uk](mailto:customerservice.licensing@renfrewshire.gov.uk) and make payment on MyAccount at [https://myaccount.renfrewshire.gov.uk/service/Pay\\_Licensing\\_Fee](https://myaccount.renfrewshire.gov.uk/service/Pay_Licensing_Fee)

### What documents do I need to apply for a licence?

- If you hold a premises licence or personal licence outwith Renfrewshire Licensing Board area you must enclose a copy of that licence with each application you make.
- If you are a representative of a voluntary organisation you must enclose a copy of the organisation's constitution with each application you make.
- If the occasional licence is for an area outside you require to enclose a copy of a detailed plan showing the extent of the outside area (in metres), any furniture to be used within the area, what is being used to delineated the area to be licensed (fencing, barriers etc) and exits and entrances.
- If the area is on the pavement or road, you are ordinarily required to apply to the Roads Department and the Planning Department for permission before you can operate.
- If the land to which the occasional licence is sought is not owned by the applicant for the occasional licence you will require to submit a letter of consent from the land owners or if you are the owner of the land, please confirm this when making your application.

### Application Fees

For application fees please refer to the civic licensing application fees on our website at [www.renfrewshire.gov.uk](http://www.renfrewshire.gov.uk).

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

### Processing the Application

When your application is lodged and the appropriate fee has been paid, a copy of your application will be sent to Police Scotland who has 7 days to respond and the Licensing Standards Officer who has 21 days to respond. They will carry out their own investigations and report back to the Licensing Board.

The application is also advertised on the Council's website at <http://www.renfrewshire.gov.uk/article/3204/Public-notice-of-liquor-applications> for a period of 7 days for anyone to object or make a representation.

If an objection or representation is received in relation to your application the Licensing Board will give notice of the objection or representation to the applicant for comment which thereafter may be considered by two members of the Licensing Board or at a meeting of the Licensing Board.

### Right of Appeal

If your application is refused you are entitled to ask the Licensing Board within 14 days to give reasons for such refusal, and you are entitled to appeal to the Sheriff Court within 21 days of the date of 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 Licensing Board to give reasons for such grant and is also entitled to appeal to the Sheriff Court.

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

## Conditions of Licence

There are mandatory conditions attached to an occasional licence if granted. Additional conditions may be requested by Police Scotland, Licensing Standards Officer or other party who comments on the applications. These conditions will be sent to the applicant for comment.

## Duration of Licence

The occasional licence lasts for the period of the application or such shorter period as the Board may determine. Applications can only be made for a period up to a maximum of 14 days per application.

## Issue of Licence

Once you are in receipt of your licence this requires to be displayed on the premises for the duration of the event.

## Any Further Questions

Should you have a query that is not covered in these guidance notes please feel free to contact the Enforcement Officers for further information.

### Contact Details For Advice

**Phone:** 0300 300 0300

**Email:** [enforcement.licensing@renfrewshire.gov.uk](mailto:enforcement.licensing@renfrewshire.gov.uk)

**Website:** [www.renfrewshire.gov.uk](http://www.renfrewshire.gov.uk)

### Contact Details for the Licensing Section:

Renfrewshire Licensing Board

Licensing Section

Renfrewshire House

Cotton Street

Paisley

PA1 1TT

**Phone:** 0300 300 0300

**Email:** [licensing.cs@renfrewshire.gov.uk](mailto:licensing.cs@renfrewshire.gov.uk)

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## Application for occasional licence

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets, if necessary.

You may wish to keep a copy of the completed form for your records.

1. LICENCE DETAILS (see note 1)	
Premises licence number (if applicable)	
Personal licence number (if applicable)	
Name of voluntary organisation (if applicable)	

2. PERSONAL DETAILS			
TITLE (delete as appropriate): Mr Mrs Miss Ms Other (please state)			
Surname			
Forenames			
DATE OF BIRTH	Day	Month	Year
ADDRESS WHERE ORDINARILY RESIDENT TO BE USED FOR CORRESPONDENCE PURPOSES			
Post town	Post code		
TELEPHONE NUMBERS			
Daytime			
Evening			
Mobile			
FAX NUMBER			
E-MAIL ADDRESS (if you would prefer us to correspond with you by e-mail)			

### 3. THE PREMISES

Description of premises

Description of activities to be carried on in the premises

Full postal address of premises which this application refers to

### 4. DURATION OF LICENCE

From:

To:

5. Is alcohol to be sold on & off the premises YES/NO\* - Provide relevant details as to hours requested when alcohol will be sold on/off the premises-\* delete as appropriate

Times for sale of alcohol for consumption on premises

Times for sale of alcohol for consumption off premises

Statement of the times at which any activities other than the sale of alcohol will be carried on in the premises

<b>6. CHILDREN (see note 2)</b>	
This section must be completed where alcohol is for sale for consumption on the premises	
Are children or young persons permitted entry? (if answered yes the remainder of this section must be completed) Yes <input type="checkbox"/> No <input type="checkbox"/>	
Ages of children or young persons permitted entry	Times at which children or young persons permitted entry
Parts of premises to which children or young persons permitted entry	

<b>7. CHECKLIST</b>	
I have	
Please tick yes	
<ul style="list-style-type: none"> <li>Made or enclosed payment of the fee for the application</li> </ul>	

<b>8. Signature and declaration by applicant (see note 3)</b>			
<b>DECLARATION</b>			
The contents of this Application are true to the best of my knowledge and belief.			
<b>SIGNATURE</b>		<b>DATE</b>	

**NOTES**

1. Section 56 of the Licensing (Scotland) Act provides that only:-

- The holder of a premises licence;
- The holder of a personal licence; or
- A representative of any voluntary organisation

is eligible to apply for an occasional licence

**2. Where alcohol is to be sold for consumption on the premises, the Act requires that a clear statement be made as to whether children or young persons are to be allowed entry and, if they are, a statement of the terms on which they are allowed entry**

**3. Data Protection Act 1998**

**The information on this form may be held on an electronic register which may be available to members of the public on request.**

**4. Information on the Licensing (Scotland) Act 2005 is available on the website of OPSI (<http://www.opsi.gov.uk/legislation/scotland/acts2005/20050016.htm>)**

**National mandatory licence conditions:-**

(introduced by section 60(1))

**Interpretation**

1In this schedule, “the premises” means, in relation to any occasional licence, the premises specified in the licence.

**Compliance with licence**

2(1)Alcohol may be sold on the premises only in accordance with the terms of the licence.

(2)Nothing in sub-paragraph (1) is to be read as preventing or restricting the doing of anything referred to in section 63(2).

3Any other activity to be carried on in the premises may be carried on only in accordance with the description of the activity contained in the licence.

**Authorisation of sales of alcohol**

4(1)The condition specified in sub-paragraph (2) applies only to an occasional licence issued to the holder of a premises licence or personal licence.

(2)Every sale of alcohol made on the premises to which the licence relates must be authorised (whether generally or specifically) by the holder of a personal licence.

**Voluntary organisations**

5(1)The condition specified in sub-paragraph (2) applies only to an occasional licence issued to a representative of a voluntary organisation.

(2)Alcohol may be sold on the premises only at an event taking place on the premises in connection with the voluntary organisation’s activities.

**Pricing of alcohol**

6Where the price at which any alcohol sold on the premises is varied—

(a)the variation (referred to in this paragraph as “the earlier price variation”) may be brought into effect only at the beginning of a period of licensed hours, and

(b)no further variation of the price at which that or any other alcohol is sold on the premises may be brought into effect before the expiry of the period of 72 hours beginning with the coming into effect of the earlier price variation.

### **Irresponsible drinks promotions**

7(1)An irresponsible drinks promotion must not be carried on in or in connection with the premises.

(2)Subject to sub-paragraph (3), a drinks promotion is irresponsible if it—

(a)relates specifically to an alcoholic drink likely to appeal largely to persons under the age of 18,

(b)involves the supply of an alcoholic drink free of charge or at a reduced price on the purchase of one or more drinks (whether or not alcoholic drinks),

(c)involves the supply free of charge or at a reduced price of one or more extra measures of an alcoholic drink on the purchase of one or more measures of the drink,

(d)involves the supply of unlimited amounts of alcohol for a fixed charge (including any charge for entry to the premises),

(e)encourages, or seeks to encourage, a person to buy or consume a larger measure of alcohol than the person had otherwise intended to buy or consume,

(f)is based on the strength of any alcohol,

(g)rewards or encourages, or seeks to reward or encourage, drinking alcohol quickly, or

(h)offers alcohol as a reward or prize, unless the alcohol is in a sealed container and consumed off the premises.

(3)Paragraphs (b) to (d) of sub-paragraph (2) apply only to a drinks promotion carried on in relation to alcohol sold for consumption on the premises.

(4)The Scottish Ministers may by regulations modify sub-paragraph (2) or (3) so as to—

(a)add further descriptions of drinks promotions,

(b)modify any of the descriptions of drinks promotions for the time being listed in it, or

(c)extend or restrict the application of any of those descriptions of drinks promotions.

(5)In this paragraph, “drinks promotion” means, in relation to any premises, any

activity which promotes, or seeks to promote, the buying or consumption of any alcohol on the premises.

**Provision of non-alcoholic drinks**

8(1)The conditions specified in this paragraph apply only to the extent that the occasional licence authorises the sale of alcohol for consumption on the premises.

(2)Tap water fit for drinking must be provided free of charge on request.

(3)Other non-alcoholic drinks must be available for purchase at a reasonable price.

**Additional licence conditions imposed by the Licensing Board**

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