

APPLICATION FOR THE GRANT/RENEWAL OF A PUBLIC ENTERTAINMENT LICENCE

CIVIC GOVERNMENT (SCOTLAND) ACT 1982

**EACH QUESTION MUST BE ANSWERED IN BLOCK CAPITALS
(preferably in black ink)**

PLEASE COMPLETE QUESTION 1 <u>OR</u> QUESTION 2 (whichever is applicable)		
1. To be completed if a natural person (e.g. Individual Applicant)		
(a) Full Name		
Address		
Postcode	Telephone No.	
E-Mail		
Age	Date of Birth	Place of Birth
(b) Is applicant to carry out day-to-day management of the activity?		YES / NO
If NO, give full name, address, date and place of birth of any employee or agent so engaged.		
Give business hours telephone number of applicant or agent and email where applicable		

OFFICE USE ONLY		
Date Received	Fee Paid	Additional Documents Etc
		Certificate of Display of Site Notice <input type="checkbox"/> <i>(to be lodged 21 days after display)</i>

2. To be completed if NOT a natural person (e.g. Company or Partnership)

(a) Company or Partnership Name

(b) Address of Principal Registered Office

(c) Name, private address, date and place of birth of Directors, Partners or other persons responsible for its management. *(Continue on separate sheet if required)*

(d) Full name, address, date and place of birth of employee or agent to carry on day-to-day management of the activity.

(e) Give business hours telephone number of applicant or agent and email where applicable

The following Questions to be completed by ALL applicants

3. Name (if any) and address of premises for which a licence is required (herein after called "the premises).

4. Specify days and times when it proposed the premises will be open for the purposes of the above kind(s) of public entertainment or recreation.

5. Maximum number of persons proposed to be admitted to premises at any one time.

6. Specify the kind(s) of public entertainment or recreation to be carried out in the premises.

7. Has any party named in 1 or 2 above previously held or currently holds a Public Entertainment Licence?	YES / NO
If YES, which Authority granted the licence?	
What was its reference number?	
When was it granted?	
When did/does it expire?	
(b) Has any party name in 1 or 2 above ever applied for and been refused a licence	YES / NO
If YES, when were you refused?	
If YES, which Authority refused you a licence?	
(c) Have you previously held or do you hold any other licence issued by a Council?	YES / NO
If YES which authority granted the licence?	

THIS SECTION MUST BE COMPLETED

8. Have you ever been convicted of **any crime or offence** or had a conditional offer, fine or endorsement imposed on you, including contraventions of Byelaws, Road Traffic Offences and Environmental Health/Food Hygiene Offences? If so, subject to the provisions of the Rehabilitation of Offenders Act 1974, give particulars below. If you have no previous convictions please tick the appropriate box.

N.B ALL CRIMES AND OFFENCES MUST BE DECLARED

Date	Court	Offence	Sentence	None

(Continue on separate sheet if required)

DECLARATION

9. I HEREBY DECLARE *(delete (a) or (b) whichever is not applicable)*
- (a) that a Notice has been posted for a period of 21 days at or near the premises where the proposed trading is to be carried out and contains such information as is required by Paragraph 2(3) of Schedule 1 to the Civic Government (Scotland) Act 1982: **OR**
- (b) that I have been unable to post a Notice in compliance with the requirements of Paragraph 2(2) of Schedule 1 of the Act because I do not have the rights of access which would enable me to do so, but I have taken reasonable steps to acquire those rights but have been unable to do so. The steps taken are as follows:- *(please specify)*

Where declaration (a) is made, there must be produced in due course a Certificate of Compliance with Paragraph 2(2) of Schedule 1 to the Civic Government (Scotland) Act 1982.

Any person who in or in connection with the making of this application makes any statement that they know to be false or recklessly makes any statement that is false in a material particular, shall be guilty of an offence and liable on summary conviction to a fine not exceeding Level 4 on the standard scale, Criminal Procedure (Scotland) Act 1995, Section 225.

I declare that the particulars given by me on this form are true and I hereby make application to Inverclyde Council for the grant of the licence applied for.

I understand the application fee is **non-refundable**.

Inverclyde Council is obliged to comply with current data protection laws and will use this information for the purposes of the Civic Government (Scotland) Act 1982 and related purposes. The Council is under an obligation to manage public funds properly. Accordingly, information you have provided on this form may be used to prevent or detect fraud and may also be shared for the same purposes with other public bodies or other organisations that handle public funds.

Further information can be found at www.inverclyde.gov.uk/privacy

Date _____ Signature of Applicant _____

Completed application to be lodged with Customer Services, Inverclyde Council, Municipal Buildings, Greenock, PA15 1LY (Tel: 01475 717171)

CIVIC GOVERNMENT (SCOTLAND) ACT 1982
GUIDANCE NOTES ON PUBLIC ENTERTAINMENT LICENCE

These guidance notes are issued on behalf of Inverclyde Council for the purposes of information and general guidance. They include the Council's own interpretation of the law and the applicant is strongly advised to obtain his own independent legal advice in any matters of doubt.

Inverclyde Council as the local authority is responsible for the processing of applications for a Public Entertainment Licence under the Civic Government (Scotland) Act 1982. The Council also has responsibility for ensuring that the Conditions on which it issues a Public Entertainment Licence are complied with. A copy of the Licensing Conditions is available on the Council's website www.inverclyde.gov.uk

The purpose of this note is to outline the procedure for applying for a Public Entertainment Licence and to draw attention to important points relating to that licence.

You will find attached to these notes - (i) Application form for a licence to carry on the activity of public entertainment; (ii) Notice for Display at Premises; and (iii) Certificate of Display of Site Notice.

When completing the application form, please note the following specific points:-

1. Kinds of public entertainment or recreation and days and times of opening (Questions 4 and 6) - please provide accurate details on both these aspects of the activity which will assist the Council in processing your application.
2. Previous convictions (Question 8) - the Council as licensing authority is entitled to consider all convictions on the record of an applicant for a Public Entertainment Licence. The form requires you to state the details of the convictions subject to the provisions of the Rehabilitation of Offenders' Act 1974.

Since the application involves the use of premises you must arrange for the site notice attached to your application form to be completed and displayed at or near the premises from which you will trade for a period of not less than 21 days and then you have to return the Certificate of Display of Site Notice duly completed once the notice has been displayed for a minimum of 21 days.

The Council also requires that an application for a Public Entertainment Licence is the subject of a newspaper advertisement. The cost of this advertisement is included in the application fee and the Council will arrange for this advertisement as soon as possible after you make your application including payment of the fee.

PROCEDURE FOR AN APPLICATION

1. The application is sent for consultation to the relevant Council Officers, the Chief Constable, Police Scotland and Scottish Fire & Rescue Service all of whom have a period of 28 days within which to lodge an objection or make comment on the application. This period also applies to any other person who may inspect the Council's Register of applications and may make an objection or representation in response to the application.

Please note that there is no automatic entitlement to obtain a licence immediately on the expiry of the period of 28 days.

2. If there is no objection to your application, the Council will try to finish the processing of the application and the issue of your licence as soon as possible.
3. You will be advised of any objection or representation received as a result of consultation and be given the opportunity to respond.
4. If an objection or representation cannot be resolved, the application will be referred to the Council's General Purposes Board for the application to be determined. You will be given the opportunity to provide a written response to any objection or representation and, at the Board's discretion, may be given a hearing in support of your application.
5. On the successful conclusion of the process by the grant of a licence, the Council will issue a Public Entertainment Licence subject to the standard Conditions, usually for a period of three years.
6. Please note that it is the licence holder's responsibility to remember to renew his licence before the current licence expires. Applications should be submitted at least six weeks prior to expiry date of current licence. Once a licence expires, an application for a licence is treated as a new application and the licence holder must cease his public entertainment activity until a new licence is issued by the Council. **On Good Cause Shown**, a Licensing Authority may deem an application for renewal of a licence made up to 28 days after the expiry of the licence to be an application made before the expiry.

PRODUCTION OF CERTIFICATES

At its meeting on 8 October 2008 the Council's General Purposes Board decided as follows:

- All applications for temporary Public Entertainment Licences shall be subject to a requirement that (a) certificates to the effect that all equipment to be used at the event is in a safe condition and will be installed and maintained in such a condition during the period of the licence and (b) evidence of public liability cover in terms satisfactory to the Council shall be produced **no later than the fifth working day prior to the commencement of the event**, and
- Where the certificates are not produced timeously, then the licence application shall be refused either in whole or in relation to the particular equipment for which the certificates have not been issued.

The above Conditions are formal Council policy and will be strictly enforced. Staff have no discretion to accept certificates submitted late.

THE INVERCLYDE COUNCIL

NOTICE FOR DISPLAY AT PREMISES

Civic Government (Scotland) Act 1982

NOTICE is hereby given that _____
(Insert Name of Applicant)

has lodged an application with The Inverclyde Council, Clyde Square, Municipal Buildings, Greenock

on _____ for a _____
(Insert date application submitted) (Insert type of Licence applied for)

in respect of premises at _____
(Insert address of premises proposed to be licensed)

The hours of operation sought are as follows:-

(Insert days and hours for which application has been made)

1. Any person wishing to object or make representations in relation to the application must lodge their objection or representation with the Licensing Section, The Inverclyde Council, Clyde Square, Municipal Buildings, Greenock PA15 1LX, generally within **28 days** of the above date.

Any objection or representation to an application for a licence shall be entertained by the Council as the appropriate Licensing Authority if, but only if it:-

- (a) is in writing;
- (b) specifies the grounds of objection or, as the case may be, the nature of the representation;
- (c) specifies the name and address of the person making the objection or representation;
- (d) is signed by him or on his behalf;
- (e) was made to the licensing authority within 28 days of whichever is the later date, or as the case may be latest of the following dates:-
 - (i) where public notice of the application was given in a newspaper, the date when first given;
 - (ii) where The Inverclyde Council has ordered the applicant to display the Notice again from a specified period, that date;
 - (iii) in any other case, the date when the application was made to the licensing authority.

2. Notwithstanding the dates set out in paragraph 1(e) above, it shall be competent for a licensing authority to consider an objection or representation received by them before they take a final decision on the application to which it relates if they are satisfied that there is sufficient reason why it was not made in the time required.

3. An objection or representation shall be made for the purposes of paragraph 1 above if it is delivered by hand within the time specified to the licensing authority or posted (by registered or recorded delivery post) so that in the normal course of post it might be expected to be delivered to them within that time.

Signature of Applicant(s) / Agent _____

Date _____

THE INVERCLYDE COUNCIL

CERTIFICATE OF DISPLAY OF SITE NOTICE

Civic Government (Scotland) Act 1982

I HEREBY CERTIFY that a Site Notice has been displayed at

(insert name and address of applicant premises)

From _____ To _____
(enter dates Notice displayed at premises, not to be less than 21 days)

in terms of Section 4 and Schedule 1, Paragraph 2(4) of the Civic Government (Scotland)
Act 1982.

Signature Applicant(s) / Agent: _____

Print Name Applicant(s) / Agent _____

Date: _____

TO BE RETURNED AFTER 21 DAYS TO:

Licensing Section
The Inverclyde Council
Municipal Buildings
Clyde Square
Greenock
PA15 1LX