

Guidance Notes – Occasional Licence

An occasional licence authorises the sale of alcohol in any premises where a licence is granted for a period of not more than 14 days. It costs £10 per application.

The Licensing Board wishes to remind potential applicants for Occasional licences that the statutory notification period for such applications for licence is now lengthy, and such applications will take a minimum of four weeks to process. The Board has no power to reduce this notification period, in any circumstances. Such applications must therefore be lodged a minimum of 28 days before an event where the sale of alcohol is to take place.

The Licensing (Scotland) Act 2005 allows the following people to apply for an Occasional Licence:

1. the holder of a premises licence
2. the holder of a personal licence
3. a representative of any voluntary organisation.,

Voluntary organisations are subject to quotas. The Licensing Board cannot issue more than 4 licences lasting more than 4 days and no more than 12 licences lasting less than 4 days in any 12 month period. The total number of days cannot exceed 56 days.

Additionally, when an occasional licence is granted to a voluntary organisation, the sale of alcohol may only be at an event taking place on the premises in connection with the voluntary organisation's activities

Application Process

1. application must be in the prescribed form
2. must contain the name and address of the licence holder, description of the premises, description of the activities to be carried out, period of licence, statement of the times where alcohol may be sold, statement as to whether sales of alcohol are on or off or both the premises, whether children and young persons are allowed access to the premises, their ages and the parts of the premises to which they are allowed entry.

Determination Process

1. Notification of an application requires to remain on website for a continuous period of 7 days
2. The Chief Constable can give notice to the Licensing Board recommending that the application be refused within 21 days of receipt of the application
3. A Licensing Standards Officer may submit a report with their comments on the application within 21 days of receipt of the application
4. Any person may object to an Occasional Licence application or make representations to the Licensing Board within the period of 7 days starting on the day when details are published on the web site
5. If the Licensing Board receives notice of an objection/representation, they will send a copy of the notice to the applicant and have regard to the objection/representation when considering the application at a hearing. A hearing will be held no later than 42 days after the Board receives the Occasional Licence application. The Licensing Board may reject an objection or representation if it is frivolous or vexatious.
6. The Licensing Board will grant the application if it does not receive any notice or objection/representation.

Conditions

Every Occasional Licence is subject to mandatory conditions although the Board may impose other conditions necessary or expedient for the purpose of any of the licensing objectives