

**THE HIGHLAND LICENSING BOARD**  
**SCHEME OF DELEGATION**  
**APPROVED AT A MEETING ON 5TH OCTOBER 2010**

It was resolved that the Clerk be authorised to exercise on behalf of the Board the following functions

**1. Premises Licence**

- a) the granting of a minor variation, that is
  - i) any variation of the layout plan provided there is no inconsistency with the operating plan;
  - ii) any variation restricting the terms on which children or young persons are allowed entry;
  - iii) any variation of information relating to the Premises Manager (including the substitution of a new Premises Manager);
  - iv) any other variation as may be prescribed by the Government.
- b) The substitution of a new Premises Manager.
- c) The transfer of a Premises Licence where the applicant has not been convicted of a relevant or foreign offence.
- d) Confirming a provisional Premises Licence.
- e) Updating changes to name and address of Premises Licence Holder or Premises Manager.
- f) A variation under s.54(6)
- g) Certification under s 55(a)

**2. Occasional Licences**

- a) granting for an event where the hours applied for are within policy and there is no notice of objection or representation or no notice from the Chief Constable
- b) If the hours of the event applied for are outwith policy or there is a notice of objection or representation or a notice from the Chief Constable, then the application will be referred to Convener of the Board and Vice Convener or the Board.

### **3. *Extended Hours***

- a) Granting where the hours applied for are within policy and there is no notice of objection or representation or no notice from the Chief Constable.
- b) if the hours applied for are outwith policy or there is a notice of objection or representation or a notice from the Chief Constable, then the application will be referred to the Convener and Vice Convener

### **4. *Personal Licences***

- a) Granting a personal licence application or renewal where the applicant has not been convicted of a relevant or foreign offence.
  - b) Updating changes in the licence holder's name and address.
  - c) Issuing a replacement licence in terms of S.92.
5. A temporary premises licence for a period which must not exceed one month subject to the terms of S.47
6. Confirmation of provisional Premise Licences subject to S.46 of the Act.

In all cases where a Clerk considers it appropriate the decision may be referred to the Board.

- 7 Prior to a hearing where there is the issue of the competency of any application the Clerk shall determine the matter.

### **8 *To the Convener***

A decision to hold a Review Hearing under S.36 of the Act and to reject an application under S36 (6) or in absence of the Convener, any other Member of the Board who may refer that decision to the Board.

*In this scheme*

"Act" means the Licensing (Scotland) Act 2005

"Convener" means the Convener appointed in terms of Schedule 1 Paragraph 6 of the Act.

"Clerk" means the person appointed under Schedule 1 Paragraph 8 of the Act or depute clerk

"Vice Convener" means any member appointed by the Board to that office.