



## LICENSING (SCOTLAND) ACT 2005

### GUIDANCE ON APPLYING FOR A PREMISES LICENCE

A premises licence is required to sell alcohol – The licence will cover an area shown on a layout and location plan, both of which must be submitted with the application.

#### 1. Section 50 Applications

In order to apply for a premises licence it is necessary to obtain “section 50” certificates from Planning, Building Control and Environmental Health (Food safety) each of whom charge a fee for the application. A link to the current application fees is available on the licensing page of the Highland Council website. Please note that the section 50 certificates are specifically for alcohol licensing applications and differ from other planning certificate, building warrant or completion certificate you may already have.

If you are constructing or renovating premises but, in the short term, are unable to obtain certificates from Building Standards or Environmental Health but you do have the section 50 certificate from Planning you can apply for a Provisional Premises Licence (initial flat fee of £200). The application would be processed as for an ordinary premises licence but you would not be able to sell alcohol until you make a further application to confirm the licence, submit any outstanding certificates and pay any balance of the application fee.

#### 2. Application process

When you receive the Section 50 certificates you may then apply for the premises licence. There are 2 parts to the application – The premises licence and the operating plan. The operating plan allows you the opportunity to explain to the Licensing Board what hours are required and the facilities and services to be provided. The licence can be for on-sales, off-sales or both and the licensed area could include an outdoor area.

The application fee is based on the rateable value of the “premises”. For example premises with a rateable value of less than £11501 would pay an application fee of £800 (one off) and there is then an annual fee (currently £192) for that category. If sale of alcohol is to be restricted to residents only the application, or the premises have a NIL value or do not appear on the valuation roll the fee will be £200 and the annual fee £157.

### 3. Documents to be submitted with premises licence application

- Seven copies of a layout plan and location plan are also required. A link to guidance on completion of the plans is available on the licensing page of the Highland Council website. Any plans which do not conform fully with the guidance may not be accepted.
- You must also complete a disabled access facilities statement which must be submitted with the application. The Scottish Government's intention is that the disabled access statement will be made available for information of customers. There is no obligation to complete any works on the premises and the Board cannot refuse a licence based on the contents of the statement. You are however encouraged to provide as much information as possible and, importantly, give due consideration to less obvious disabilities such as hearing or sight impairment or mental health issues.
- In order to sell alcohol there must be a designated premises manager who must hold a personal licence. In order to apply for a personal licence you must firstly pass a course (Scottish certificate for personal Licence Holders – SCPLH) The course can be booked through private providers and the cost is around £150. It may be possible to get assistance with funding for that through <https://www.myworldofwork.co.uk/learn-and-train/funding>

On successful completion you can then apply for a personal licence from the Licensing Board (£50 fee and it lasts for 10 years, providing you do a 5 year refresher training course)

- A fire safety checklist requires to accompany all premises licence applications.

## **HIGHLAND LICENSING BOARD CONTACT ADDRESSES**

<b>Clerk to the Board</b>	<b>Inverness, Nairn, Badenoch and Strathspey areas</b>	<b>Lochaber</b>
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<b>Caithness and Ross areas</b>	<b>Sutherland</b>	<b>Skye and Lochalsh</b>
Highland Licensing Board Caithness House Market Place Wick KW1 4AB Tel: (01955) 608214 <a href="mailto:licensing@highland.gov.uk">licensing@highland.gov.uk</a>	Highland Licensing Board Council Offices Drummuie Golspie KW10 6TA Tel: (01408) 635205 <a href="mailto:licensing@highland.gov.uk">licensing@highland.gov.uk</a>	Highland Licensing Board Council Offices Tigh na Sgire Park Lane Portree, IV51 9GP Tel: (01478) 613824 <a href="mailto:licensing@highland.gov.uk">licensing@highland.gov.uk</a>

If you wish any additional guidance or advice, please contact your **Licensing Standards Officer** in your area:-

<b>LICENSING AREA</b>	<b>LSO</b>	<b>CONTACT DETAILS</b>
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