

**Before lodging your application for Occasional Licence please ensure that you have read the following guidance.**

### **1. WHAT IS AN OCCASIONAL LICENCE?**

An Occasional Licence allows alcohol to be sold on unlicensed premises for a specified period of no more than 14 days.

A licensed Private Members Club can also apply for an Occasional Licence if they intend to provide a function or event that is open to non-members.

### **2. WHO CAN APPLY?**

An application can only be made by:

- the holder of a Premises Licence issued under the Licensing (Scotland) Act 2005; or
- the holder of a Personal Licence issued under the Licensing (Scotland) Act 2005; or
- a representative of a voluntary organisation but only where the application relates to an event taking place in connection with the voluntary organisation's activities.

### **3. IS THERE A POLICY ON WHAT HOURS I CAN APPLY FOR?**

The Licensing Board is required to publish a Licensing Policy Statement setting out how it will exercise its functions under the Licensing (Scotland) Act 2005.

The policy statement can be viewed using the following link:

<https://www.glasgow.gov.uk/index.aspx?articleid=17552>

The policy statement sets out the Board's generally approach to Occasional Licences including the timescale for lodging applications.

### **4. ARE THERE RESTRICTIONS ON HOW OFTEN YOU CAN APPLY FOR AN OCCASIONAL LICENCE?**

There are certain restrictions set out in legislation.

#### **VOLUNTARY ORGANISATION**

During any period of 12 months a voluntary organisation can be issued

- (a) no more than 4 Occasional Licences each having effect for a period of 4 days or more; and
- (b) no more than 12 Occasional Licences each having effect for a period of less than 4 days,

provided that, in any period of 12 months, the total number of days on which Occasional Licences are issued does not exceed 56.

Please note that these totals apply the voluntary organisation – not to the representative of the organisation or to the premises that is covered by the Occasional Licence.

#### **LICENSED PRIVATE MEMBERS CLUB**

During any period of 12 months a Private Members Club can be issued

- (a) no more than 4 Occasional Licences each having effect for a period of 4 days or more; and
- (b) no more than 12 Occasional Licences each having effect for a period of less than 4 days,

provided that, in any period of 12 months, the total number of days on which Occasional Licences are issued does not exceed 56.

There are no restrictions on the number of Occasional Licences which can be applied for by the holder of a Premises Licence or the holder of a Personal Licence. Applicants should however be aware that the Board's Licensing Policy Statement sets out that Occasional Licences cannot be used as a way to circumvent the full licence process.

## 5. HOW DO YOU APPLY?

To apply for a Licence you should complete the attached application form and submit it to the Licensing Section with the relevant fee. Where required, your application must be accompanied by the supporting documents set out in part 6 of the guidance.

### AT OUR CITY CENTRE SERVICE DESK

Your application can be submitted in person at our:

City Centre Service Desk  
45 John Street  
Glasgow G1 1JE

**From 5 February 2018 you can book an appointment online to submit your application at the Service Desk.** Please be aware you will no longer be able to book your appointment via telephone. An appointment can be made using the following link. Please select 'Licensing' from the list of available options and choose 'Apply for a Licence' to schedule a suitable appointment.

<http://www.glasgow.gov.uk/booking>

Appointments are available Monday to Friday excluding Public Holidays. More information on making an appointment is available on our website:

<http://www.glasgow.gov.uk/licences/appointments>

We recommend that applications are lodged in person in order to ensure they are correct. Our staff will check your application and help you correct any mistakes. Please note our staff cannot complete the form for you.

You can ask someone to lodge the form on your behalf at the Service Desk; however, if the form requires to be amended, you must initial any changes before the form is accepted.

### BY POST

You can submit your application by post to the following address:

City of Glasgow Licensing Board  
City Chambers  
George Square  
Glasgow G2 1DU

We recommend that you send the application by Recorded Delivery/Special Delivery to ensure that it is received.

## 6. WHAT NEEDS TO ACCOMPANY THE APPLICATION?

There is no requirement to provide specific documentation with most applications; there are occasions however where further documentation will be required.

### TABLES & CHAIRS \ STREET CAFE

If 'tables & chairs' are being placed on a public footpath or road outside or adjacent to Licensed Premises then the initial applications must be accompanied by

- (a) the relevant Section 59 permission from the Council's Road's Department; and
- (b) a layout plan clearly showing the delineated area to be licensed.

Once these documents have been submitted, you do not need to submit them with further applications for the same area.

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### OUTDOOR EVENTS

Applications lodged in connection with outdoor events must be accompanied by a layout plan of the event space clearly showing the delineated area to be licensed. The application should also be accompanied by a statement as to how the area will be delineated and what stewarding arrangements will be in place to ensure that alcohol is only consumed within the licensed area.

### CHARITABLE EVENTS

If an event relates to a charitable activity then the Licensing Board will require a letter from the charity stating that they are aware of the event and that the charity are receiving some benefit from the event.

In addition to the above, the Licensing Board may request information in respect of any application if such information is considered necessary in order to determine the application.

## 7. HOW MUCH IS THE APPLICATION FEE?

The fee for an Occasional Licence is set by the Scottish Government and cannot be changed by the Licensing Board.

The current application fee is: £10

Applications lodged in person can be made by Cash, Cheque, Postal Order or Credit/Debit Card. Applications lodged by post can be paid by Cheque or Postal Order only (**Do not send cash by post**).

Cheque and Card payments will only be accepted from the applicant or their registered agent. Cheques should be made payable to 'City of Glasgow Licensing Board' or 'Glasgow City Council'

## 8. HOW WILL THE APPLICATION BE PROCESSED?

Once an application has been received copies are sent to Police Scotland and the Council's Licensing Standards Officer. Both have 21 days in which they may respond to the Licensing Board.

Details of the application are also published online for a period of 7 days. Any person can submit an objection or representation to the Board during the 7 day objection period.

Once reports have been received and the objection period has ended, the application will be reviewed by the Clerk to the Licensing Board. The Clerk will consider the terms of the application and any policy issues highlighted by the reports before deciding whether or not to grant, amend or refuse the application. If the Clerk cannot determine the application, it will be referred to the Licensing Board.

Please be aware that if an objection or representation is received then your application will not be reviewed by the Clerk. Instead it will be referred directly to a meeting of the Licensing Board for consideration. If this happens you will receive a Recorded Delivery letter requesting your attendance at the meeting and explaining the reason you are being called. Although you are not legally required to attend it is recommended that you do so. We will contact you, in writing, after the meeting to advise you of the Licensing Board's decision.

## 9. HOW LONG WILL IT TAKE TO PROCESS THE APPLICATION?

The Licensing Board received around 3000 applications for Occasional Licence per year. Given the volume of applications and the complexities involved in processing and considering applications, most applications will be considered around one to two weeks prior to their intended start date.

## 10. WHAT HAPPENS AFTER MY APPLICATION IS GRANTED?

If you have provided an email address you will receive an email advising that your application has been granted and attaching the Occasional Licence. If no email address has been provided, we will issue the licence to you by post.

## 11. WHAT HAPPENS IF MY APPLICATION IS REFUSED?

If you have provided an email address you will receive an email advising that your application has been refused. If no email address has been provided, you will receive a letter advising of the decision. If you wish, you have the right to appeal the decision at Glasgow Sheriff Court.

The Licensing Board cannot provide guidance on making an appeal; if guidance is required you should consider taking your own independent legal advice or, alternatively, you can contact the Sheriff Clerk at Glasgow Sheriff Court, 1 Carlton Place, Glasgow, G5 9DA.

## 12. ARE THERE CONDITIONS ATTACHED TO THE LICENCE?

There are standard conditions attached to all Occasional Licences. A copy of these conditions is provided with this guidance. You will be expected to comply with every condition; failure to do so may constitute a criminal offence. The Licensing Board may also attach further conditions if it considers it necessary.

## OTHER FREQUENTLY ASKED QUESTIONS (FAQS)

### WHAT ARE LICENSED AND UNLICENSED PREMISES?

"Licensed Premises" hold a Premises Licence issued under the 2005 Act that allows them sell alcohol on a daily basis – traditional public houses, nightclubs or dedicated off sales are examples of "Licensed Premises".

"Unlicensed Premises" simply refers to any premises other than those that are "Licensed" to sell alcohol on a continual basis.

### **CAN I GET FURTHER INFORMATION?**

If you have any further questions about the application process the Licensing Team will be happy to assist you. Please note that whilst the Licensing Team can provide guidance, the team cannot offer you legal advice.

You can contact us by phone or email.

Licensing Team  
City of Glasgow Licensing Board  
City Chambers  
George Square  
Glasgow G2 1DU

**Phone:** 0141 287 5354  
**Email:** [LicensingBoard@glasgow.gov.uk](mailto:LicensingBoard@glasgow.gov.uk)

# Privacy Statement:

## Licensing schemes administered by the City of Glasgow Licensing Board

### WHO WE ARE

The City of Glasgow Licensing Board is a public body established under the Licensing (Scotland) Act 2005. Its head office is located at City Chambers, George Square, Glasgow G2 1DU, United Kingdom, and you can contact our Data Protection Officer by post at this address, by email at: [dataprotection@glasgow.gov.uk](mailto:dataprotection@glasgow.gov.uk), and by telephone on 0141 287 1055.

### WHY DO WE NEED YOUR PERSONAL INFORMATION AND WHAT DO WE DO WITH IT?

You are giving us your personal information to allow us to carry out our statutory functions in relation to licensed activities regulated by the City of Glasgow Licensing Board. We also use your information to verify your identity where required, contact you by post, email or telephone and to maintain our records.

### LEGAL BASIS FOR USING YOUR INFORMATION

We provide these services to you as part of our statutory function as a public body. You can find more details of our role on our website at [www.glasgow.gov.uk/privacy](http://www.glasgow.gov.uk/privacy) and [www.glasgow.gov.uk/licensingboard](http://www.glasgow.gov.uk/licensingboard). Processing your personal information is necessary for the performance of a task carried out in the public interest by the council.

If you do not provide us with the information we have asked for then we will not be able to provide this service to you.

We may also need to process more sensitive personal information about you for reasons of substantial public interest as set out in the Data Protection Act 2018. It is necessary for us to process it to carry out key functions as set out in law. In addition, we may also process data about any criminal convictions you may have. This is because we are required to ascertain the suitability of individuals to hold licences and, to do this, we may need to process information on an individual's criminal convictions.

### WHO DO WE SHARE YOUR INFORMATION WITH?

We are legally obliged to safeguard public funds so we are required to verify and check your details internally for fraud prevention. We may share this information with other public bodies (and also receive information from these other bodies) for fraud checking purposes.

We are also legally obliged to share certain data with other public bodies, such as HMRC and will do so where the law requires this. We will also generally comply with requests for specific information from other regulatory and law enforcement bodies where this is necessary and appropriate. Your information is also analysed internally to help us improve our services.

This data sharing is in accordance with our Information Use and Privacy Policy and covered in our full privacy statement on our website. It also forms part of our requirements in line with our Records Management Plan approved in terms of the Public Records (Scotland) Act 2011.

We are required by law to enter personal information about applicants and other relevant persons on a public register of applications for licences. This register can be accessed by any member of the public. We may publish this register or extracts of the register online. We may also provide the register to other public bodies to support a national register of licences.

In processing an application for a licence or a complaint, we may need to refer you to a meeting of the Licensing and Regulatory Committee. Your personal information will be included in the agenda, reports and minutes for the Committee. Some of this information will be published on our website. You can find out more on our website at [www.glasgow.gov.uk/privacy](http://www.glasgow.gov.uk/privacy)

Licensing Board meetings are held in public. At a meeting your personal information may be disclosed to those in attendance. This may happen even if you do not attend a meeting that you are invited to.

We will also share your personal data with other public bodies and statutory consultees as required by law.

## HOW LONG DO WE KEEP YOUR INFORMATION FOR?

We only keep your personal information for the minimum period amount of time necessary. Sometimes this time period is set out in the law, but in most cases it is based on the business need. We maintain a records retention and disposal schedule which sets out how long we hold different types of information for. You can view this on our website at [www.glasgow.gov.uk/rrds](http://www.glasgow.gov.uk/rrds) or you can request a hard copy from the contact address stated above.

## Your rights under data protection law

- **access to your information** – you have the right to request a copy of the personal information that we hold about you.
- **correcting your information** – we want to make sure that your personal information is accurate, complete and up to date. Therefore you may ask us to correct any personal information about you that you believe does not meet these standards.
- **Deletion of your information** – you have the right to ask us to delete personal information about you where:
  - I. you think that we no longer need to hold the information for the purposes for which it was originally obtained
  - II. you have a genuine objection to our use of your personal information – see *Objecting to how we may use your information* below
  - III. our use of your personal information is contrary to law or our other legal obligations.

**Objecting to how we may use your information** – You have the right at any time to tell us to stop using your personal information for direct marketing purposes.

**Restricting how we may use your information** – in some cases, you may ask us to restrict how we use your personal information. This right might apply, for example, where we are checking the accuracy of personal information that we hold about you or we are assessing the objection you have made to our use of your information. This right might also apply if we no longer have a basis for using your personal information but you don't want us to delete the data. Where this right is realistically applied will mean that we may only use the relevant personal information with your consent, for legal claims or where there are other public interest grounds to do so.

Please contact us as stated above if you wish to exercise any of these rights.

## INFORMATION YOU HAVE GIVEN US ABOUT OTHER PEOPLE

If you have provided anyone else's details on this form, please make sure that you have told them that you have given their information to Glasgow City Council. We will only use this information to carry out our statutory functions in relation to licensed activities regulated by the Council's Licensing & Regulatory Committee. If they want any more information on how we will use their information they can visit our web site at [www.glasgow.gov.uk/privacy](http://www.glasgow.gov.uk/privacy) or email [dataprotection@glasgow.gov.uk](mailto:dataprotection@glasgow.gov.uk).

## COMPLAINTS

We aim to directly resolve all complaints about how we handle personal information. If your complaint is about how we have handled your personal information, you can contact the Council's Data Protection Officer by email at [dataprotection@glasgow.gov.uk](mailto:dataprotection@glasgow.gov.uk) or by telephone on 0141 287 1055.

However, you also have the right to lodge a complaint about data protection matters with the Information Commissioner's Office, who can be contacted by post at: Information Commissioner's Office, Wycliffe House, Water Lane, Wilmslow, Cheshire, SK9 5AF. By phone on 0303 123 1113 (local rate) or 01625 545 745. Visit their website for more information at- <https://ico.org.uk/concerns>

If your complaint is not about a data protection matter you can find details on how to make a complaint on our website at [www.glasgow.gov.uk/complaints](http://www.glasgow.gov.uk/complaints).

## MORE INFORMATION

For more details on how we process your personal information visit [www.glasgow.gov.uk/privacy](http://www.glasgow.gov.uk/privacy)  
If you do not have access to the internet you can contact us via telephone to request hard copies of our documents.

# Appendix 1

## Mandatory Conditions attached to an Occasional Licence

### *Interpretation*

- 1 In these conditions, “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).
- 3 Any 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*

- 5B (1) A package containing two or more alcoholic products (whether of the same or different kinds) may only be sold on the premises at a price equal to or greater than the sum of the prices at which each alcoholic product is for sale on the premises.
- (2) Sub-paragraph (1) applies—
- (a) only where each of the alcoholic products is for sale on the premises separately, and
- (b) regardless of whether or not the package also contains any item which is not an alcoholic product.
- (3) In this paragraph, “alcoholic product” means a product containing alcohol and includes the container in which alcohol is for sale.
- 6 Where 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.
- 6A Where the price at which any alcohol sold on the premises for consumption off 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.

#### *Age Verification Policy*

- 9 (1) There must be an age verification policy in relation to the sale of alcohol on the premises.
- (2) An “age verification policy” is a policy that steps are to be taken to establish the age of a person attempting to buy alcohol on the premises (“the customer”) if it appears to the person selling the alcohol that the customer may be less than 25 years of age (or such older age as may be specified in the policy).
- (3) The condition specified in this paragraph does not apply in relation to any sale of alcohol which takes place on the premises merely by virtue of being treated, by section 139, as taking place on the premises.