

EAST DUNBARTONSHIRE LICENSING BOARD

Licensing (Scotland) Act 2005, sections 33, 34 and 35

**APPLICATION FOR TRANSFER OF PREMISES
LICENCE/PROVISIONAL PREMISES LICENCE***

*Delete as appropriate

If you are completing this form by hand, please write legibly in block capitals using ink.

Is this application made in terms of Section 33 of the Licensing (Scotland) Act 2005?

*YES/NO**

Is this application made in terms of Section 34 of the Licensing (Scotland) Act 2005?

*YES/NO**

*Is the applicant applying for a variation with the transfer application YES/NO**

APPLICANT INFORMATION

Question 1

Please provide the name, address, postcode, date and place of birth, and contact telephone number of the current Licensee.

Question 2

Where the application is made by the current licence holder, “applicant” is the person(s) into whose name the licence is to be transferred.

2(a) Where applicant is an individual, provide full name, date and place of birth, home address including postcode, telephone number and e-mail address.

2(b) Where applicant is a partnership, please provide full name, and postal address of partnership.

2(c) Where applicant is a company, please provide name, registered office and company registration number and a contact address.

2(d) *Where the applicant is a club or other body, please provide full name, and postal address of club or other body.*

2(e) *Where applicant is a partnership, company, club or other body, please provide the names, dates and places of birth, and home addresses of connected persons.**

* Connected person is defined in section 147(3) of the Licensing (Scotland) Act 2005.

Question 3

Previous applications

3 *Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises?*

YES/NO*

If YES – provide full details

Question 4

Previous convictions

4 *Has the applicant or any connected person ever been convicted of a relevant or foreign offence^a*

YES/NO*

**If YES – provide full details*

For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974

<i>Name & position (if applicable)</i>	<i>Date of conviction or sentence</i>	<i>Court</i>	<i>Offence</i>	<i>Penalty</i>

Question 5

Has the licence holder: –

- *Died*
- *Become incapacitated*
- *Become Insolvent*
- *Been dissolved*
- *Transferred the business in the premises to another person*

^a In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

Question 6

Please provide full name, address, postcode and licence number of the premises

If you do not wish to apply for a variation of the licence with the transfer application, please go to page 10 and date and sign the application form.

If you do wish to apply for a variation of the licence with the transfer application, please complete the rest of the application form.

MINOR VARIATIONS

Question 7

7(a) *Do you consider the proposed variation to be a minor variation? YES/NO*
(If YES, please answer the rest of question 7. If NO please go to question 8)*

7(b) *Do you propose a variation to the layout plan which is not inconsistent with the operating plan for the Premises? YES/NO**

(if YES, please give details of the proposed variation below)

7(c) Do you propose to restrict the terms on which children and young persons are admitted to the premises? YES/NO*

(if YES, please give details of the proposed variation below)

7(d) Do you propose to vary the information contained in the licence relating to the premises manager, including a variation to substitute a new premises manager? YES/NO*

(if YES, please go to question 9 below)

7(e) Do you propose any other variation as prescribed by Section 29(6)(d) of the 2005 Act? YES/NO*

(if YES, please give details of the proposed variation below)

OTHER VARIATIONS

Question 8

8(a) *Do you propose a variation to the conditions to which the licence is subject (other than those to which the licence is subject by virtue of Section 27(1))?* YES/NO*

(if YES, please give details of the proposed variation below)

8(b) *Do you propose to vary any of the information contained in the operating plan contained in the licence?* YES/NO*

(if YES, please give details of the proposed variation below)

8(c) *Do you propose a variation to the layout plan contained in the licence?* YES/NO*

(if YES, please give details of the proposed variation below)

8(d) *Do you propose to vary any other information contained or referred to in the licence, including an addition, deletion or other modification?*
YES/NO*

(if YES, please give details of the proposed variation below)

VARIATION TO SUBSTITUTE NEW PREMISES MANAGER

Question 9

Please provide details below of the name, address and personal licence number of the Existing Premises Manager.

Proposed Premises Manager

9(a) *Name and telephone number*

9(b) *Date and place of birth*

9(c) *Contact address, including postcode*

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9(d) *Email address*

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9(e) *Personal licence*

Date of issue	Name of Licensing Board issuing	Reference no. of personal licence

9(f) *Is the variation to take effect during the application period? YES/NO**

If the answer to the above question is NO, please provide below the date from which the variation is to take effect.

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DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

The contents of this Application are true to the best of my knowledge and belief.

Signature * (see note below)

Date

Capacity APPLICANT/AGENT (delete as appropriate)

Telephone number and email address of signatory

<i>I have enclosed the relevant fee and documents with this application – please tick the relevant boxes</i>	
<i>Fee**</i>	
<i>Premises Licence</i>	
<i>Operating Plan***</i>	
<i>Layout plans***</i>	

**** Fee**

Transfer of premises licence on the application of the licence holder, including an application for variation of licence - **£146.23**

Transfer of premises licence on the application of the licence holder, not including an application for variation of licence - **£44.78**

Transfer of premises licence on the application of a person other than the licence holder, including an application for variation of licence - **£146.23**

Transfer of premises licence on the application of a person other than the licence holder, not including an application for variation of licence - **£44.78**

***** Operating Plan/Layout Plan**

Where the proposed variation affects the current layout plan, please submit 2 sets of plans showing the proposed new layout of the premises. Where the proposed variation affects the current operating plan, please submit an operating plan including the proposed variations.

For use by the Licensing Board only	
Application checklist	
Date received	
Fee amount	
Receipt number	
Received by (<i>INITIALS</i>)	
Consideration date	
Last date for consideration	
Date of initial hearing	
Date of any modification hearing	
Date granted/refused (delete as appropriate)	

For use by the Licensing Board only	
Documents required	
Premises Licence	
Operating Plan	
Layout plans	

Privacy Notice

The personal information you provide on this form will be used by East Dunbartonshire Council to process and determine applications for a transfer of premises licence.

This personal information may also be shared with other departments within East Dunbartonshire Council, the Council committee's and/or boards, local councillors in the area of the application or other organisations for the same purpose and also to:

- check the information we hold is accurate;
- prevent and/or detect crime; and
- protect public funds.

Other organisations may include bodies responsible for auditing or administering public funds, public sector agencies, governmental departments, regulatory and law enforcement bodies including Police Scotland and the Scottish Fire and Rescue Service, private contractors used by the Council and bodies carrying out data matching exercises.

The legal basis for processing your personal information is:

- The Council's legal obligations under the following legislation:
 - the Licensing (Scotland) Act 2005 (licensing functions in relation to transfer of premises licence)
 - the Local Government (Scotland) Act 1973 (to ensure proper administration of the Council's financial affairs) (including the detection and/or prevention of fraud)
 - the Local Government (Scotland) Act 1973 (furnishing of information and documents to the Commission)
 - the Public Finance and Accountability (Scotland) Act 2000 (disclosure of data to Audit Scotland for data matching)
- The following task carried out in the public interest:
 - to appropriately and sufficiently licence the sale of alcohol
 - the prevention and detection of licensing fraud

East Dunbartonshire Council will be unable to process your application form if you fail to provide the information required and a transfer of premises licence will not be granted. The information requested in this form is required under the Licensing (Scotland) Act 2005 (Section 20 and 45).

East Dunbartonshire Council uses the Scottish Council on Archives Records Retention Schedules to manage the amount of time the Council keeps information. Further information on these can be found here

<http://www.scottisharchives.org.uk/scars>

The information you have provided is classed under reference 04.005.065 and the retention period will be triggered from the date the licence is superseded, surrendered or revoked and the information will then be held for 5 years

Right of Access

You have the right to access the personal information the Council holds about you. This right is called a Subject Access Request, often referred to as a SAR.

You can receive a copy of your personal data held by the Council, details on why it is being used, who it has been/ will be shared with, how long it will be held for, the source of the information and if the Council uses computer systems profile or take decisions about you. Details on how to submit a Subject Access Request can be found here.

<https://www.eastdunbarton.gov.uk/council/data-protection/subject-access-request>

Right to rectification

You have the right to request the Council correct any information held about you that is inaccurate.

Right to erasure

You have the right to request that the Council delete the personal information about you. This right is known as the right to be forgotten.

Right to restrict processing

You have the right to request that the Council stops using your personal information, while retaining a copy of it.

Right to Object

You have the right to object to the Council's use of your personal information. The Council will have to demonstrate why it is appropriate to continue to use your personal data.

You have the right to complain to the Information Commissioner's Office should you be unhappy with the way the Council has processed your personal data. Details on how to report a concern can be found here <https://ico.org.uk/concerns/> Should you have any questions or concerns about the Council's handling of your personal data you can contact the Council's Data Protection Officer, Karen Donnelly, using the below noted details, who will be happy to discuss.

Telephone Number: 03001234510

Email: dpo@eastdunbarton.gov.uk

Address: 12 Strathkelvin Place, Kirkintilloch, G66 1TJ