

PERTH AND KINROSS LICENSING BOARD

LICENSING (SCOTLAND) ACT 2005

CONSIDERATION OF PREMISES LICENCE APPLICATIONS

Applicants for premises licence applications during the transition period will not be cited to appear before the Board where they relate to premises which are:-

Existing 1976 Act refreshment, restaurant and restricted hotel licences, hotel licences with public bars and/or function rooms where the occupant capacity is less than 150, public house licences where the occupant capacity is less than 150, and off sale licences (excluding applications for premises which may fall under the category of excluded premises) where the space given over to the display of alcohol is less than 35m² and where:-

- there are no objections to the application under the Licensing (Scotland) Act 2005, Section 22;
- there are no existing undertakings or conditions relating to the premises (including Section 64 conditions) which have not been superseded by the provisions of the 2005 Act;
- there have been no requests for a suspension hearing or refusals of applications relating to the premises in the last 10 years;
- where an antisocial behaviour report has not been requested or received from the Chief Constable;
- where the licensed hours sought are within the Board's general policy on licensing hours as set out in its Statement of Policy; and
- the application otherwise complies with the requirements of the Act.

Although a premises licence application may fall within the above categories, the Clerk of the Board or any member of staff appointed by the Clerk may cite an applicant to appear before the Board for a formal hearing where it is considered appropriate in the circumstances.

Where the Board considers a premises licence application and requires further information or is considering imposing discretionary conditions, the applicant will be given the opportunity to address those issues and may subsequently be cited to appear before the Board.

Mandatory conditions are imposed by the Act on premises licences therefore no representations will be sought from an applicant in relation to those.