


**WEST LOTHIAN LICENSING BOARD  
EXTENDED HOURS APPLICATION  
UNDER SECTION 68 OF THE LICENSING (SCOTLAND) ACT 2005**

It is strongly advised that you read subsection 3.3 (festive hours) and subsection 4.6 of the Board's policy on extended hours, the attached guidance notes and the privacy statement before completing this application.

All applicants should note that this form must be lodged a minimum of 35 days before the first calendar date in respect of which the extended hours applied for are sought.

Applicants should ensure that application forms are fully and properly completed. If the space available in any of the boxes is not sufficient to contain the information required, a supporting letter containing that information must be provided. When completing this form, please write legibly in BLOCK CAPITALS.

<p><b>The Clerk to the Licensing Board West Lothian Council West Lothian Civic Centre Howden South Road Livingston West Lothian EH54 6FF</b></p> <p>Telephone No: 01506 281632 Email: <a href="mailto:licensingboard@westlothian.gov.uk">licensingboard@westlothian.gov.uk</a></p> <p>Form amended April 2019</p>	
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**Question 1: Premises licence number:**

**Question 2: Name and full address of premises concerned:**

**Question 3: Name of premises licence holder (this must be as stated on the premises licence)**

**Contact phone number**

**Email address (if you can provide an email address it will help us to contact you quicker about your application)**

**Question 4: Extended hours applied for including date(s):**

This should include:

- each date on which extended hours are sought; and
- The extension of hours sought (i.e. to *extend the core licensed off/ on sales hours for the premises from [] am/ pm to [] am/ pm*)

**Question 5: Reason for application, please tick one of the boxes below**

1. The event is a special event or occasion to be catered for on the premises

or

2. The event is a special event of local or national significance

In the box below please provide sufficient detailed information to enable the Board to make a decision on the application. This **must** include:-

- the hours sought;
- why the event cannot take place within the hours specified in the operating plan;
- a description of the special event or occasion (if the application relates to 1 above);
- what activities are proposed to take place in the premises during the hours sought;
- when each activity will take place; and
- why the event or occasion is considered to be special (if the application relates to 2 above)

Where the application does not answer all of the points listed above it will be returned to the applicant with an explanation that the Board has not accepted it for processing.

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**Signature and declaration by applicant:**

The contents of this application are true to the best of my knowledge and belief. Please note that it is a criminal offence to make a false statement in or in connection with this application.

**Applicants must complete the box below**

<b>Signature</b>	
<b>Print name</b>	
<b>Date</b>	
Tick one of the 4 boxes below to indicate why you are signing the form	
	<b>One of the boxes below must be ticked</b>
Licence holder (or connected person)	
Designated Premises Manager	
Committee Member	
Agent	

Checklist:	
1.	I have made or enclosed payment of £10 being the payment for the fee for the application
2.	I have signed above and ticked a box to confirm in what capacity I have signed
3.	If you have signed as designated premises manager, written authority from the premises licence holder authorising the making of the application you on their behalf must be included with every application

## Privacy Statement – Data Protection

All personal information that you supply will be used to process your application in accordance with data protection law and the Licensing (Scotland) Act 2005. In terms of the 2005 Act we are required to share this information with the following bodies and individuals:-

- Police Scotland
- West Lothian Council's Licensing Standards Officer

We are required by law to protect the public funds we administer. Therefore in line with the National Fraud Initiative (NFI) we may also share your information with other bodies responsible for auditing or administering public funds in order to prevent and detect fraud.

The information provided by you on this form will be held on an electronic register which will be available for inspection by members of the public.

Further information about how we handle your personal information, including how long we retain the information, information about the NFI and how you can complain about our handling of your information, is available in our Privacy Notice which can be found on the Licensing Team's webpage <https://www.westlothian.gov.uk/licensing>. A hard copy of our Privacy Notice is available on request by contacting the Licensing Team, email: [licensing@westlothian.gov.uk](mailto:licensing@westlothian.gov.uk), telephone: 01506 281632.

## GUIDANCE NOTES

### GENERAL GUIDANCE

#### When must applications be made?

Applications must be received by the Board at least 35 days in advance of the first date when the extended hours have been applied for. The Licensing Team operates on Monday to Fridays only. If the start date is at the weekend the application must have been received by the Friday before the weekend falling 35 days before the event.

#### Are there any exceptions to that?

Yes, but only for emergency and unforeseen events. Please consult the Board's policy. If after reading the policy you consider that this exception applies you should complete the Emergency/ Unforeseen Events form which is available on our website.

#### How can I ensure that my application is determined as soon as possible?

You should ensure that all parts of the application form are completed (see the guidance on the specific questions below) otherwise the application will be returned to you which will delay the process and may mean that it cannot be processed if it is not complete at least 35 days prior to the event.

#### What does the law provide?

An extended hours application, if granted, allows a licensed premises to sell alcohol outwith their normal core hours. An extension of licensed hours has effect for such a period as is specified in the application or such other period as the Board consider appropriate, but in either case the period must not exceed one month. The fee for an application is £10. Extended hours cannot be further extended.

#### How do I submit my application?

**By post:** Applications can be posted to West Lothian Licensing Board, West Lothian Civic Centre, Howden South Road, Livingston, EH54 6FF along with a cheque/postal order for £10. We cannot accept cash sent by post and there are no facilities to accept cash or cheques at the Civic Centre.

**In person:** If you wish to make payment of your fee in person you should take your application to: Livingston CIS, Arrochar House, Almondvale Boulevard, Livingston. Payment can be made there by cash, card, cheque or postal order.

### GUIDANCE RE COMPLETING THE FORM

#### Question 1:

The premises licence number as stated on the premises licence must be given.

#### Question 2:

The full name and address of the premises as stated on the premises licence must be given.

#### Question 3:

The name of the premises licence holder as stated on the premises licence must be given.

#### **Question 4:**

Sufficient information must be given clearly regarding the additional hours which are being applied for. This should include

- the dates on which extended hours are sought; and
- the additional hours requested i.e. from ... hours to .... hours
- whether the hours relate to on sales or off sales

#### **Question 5**

This is the section where you indicate the reason for the application.

Section 68 of the Licensing (Scotland) Act 2005 provides that the holder of a premises licence can apply for an extension of licensed hours in connection with:

- (i) A special event or occasion to be catered for on the premises; or
- (ii) A special event of local or national significance.

You must tick one of the boxes to state which of the two options applies. This will have a bearing on the information you need to provide in the large box.

#### **Declaration by applicant**

Under section 68 of the Licensing (Scotland) Act 2005, an application for extended hours can only be made by the premises licence holder.

In practice the Board will accept applications signed by persons with the authority of the premises licence holder as follows:

- (i) the agent for the premises licence holder (written authority will be required with the application where the applicant is not a professional agent);
- (ii) where the premises licence holder is a company, a connected person of that company as notified to the Board in the premises licence application. There is a requirement within the 2005 Act to keep the Board updated of all current connected persons.
- (iii) where the premises licence holder is a registered club, an office bearer of that registered club. There is a requirement within the 2005 Act to keep the Board updated of all current office bearers;
- (iv) a designated premises manager may submit an application on behalf of the premises licence holder only when the premises licence holder's written authority for the designated premises manager to do so is included with the application.

If an application is made by any person who does not fit the criteria above or does not make clear which capacity applies the application will be returned as an invalid application and will not be processed. All incomplete and invalid applications will be returned by second class post.