|  |  |
| --- | --- |
| Form amended November 2023 | CIVIC GOVERNMENT (SCOTLAND) ACT 1982 SECTION 44(1)(b),2 APPLICATION FOR THE GRANT/ RENEWAL\* OF SKIN PIERCING AND TATTOOING LICENCE (BUSINESS)\*DELETE AS APPROPRIATE |

|  |
| --- |
| IT IS STRONGLY ADVISED THAT YOU READ THE GUIDANCE NOTES BEFORE COMPLETING THIS APPLICATION AS INCOMPLETE APPLICATIONS OR APPLICATIONS SUBMITTED ON THE WRONG FORM WILL NOT BE ACCEPTED AND WILL BE RETURNED BY SECOND CLASS POST DELAYING YOUR APPLICATION. IF YOU PROVIDE AN EMAIL ADDRESS BELOW THIS WILL ALLOW US TO CONTACT YOU QUICKER REGARDING YOUR APPLICATION. |

FOR OFFICIAL USE ONLY

|  |  |  |  |
| --- | --- | --- | --- |
| Date of receipt of application |  | Acknowledgement |  |
| Fee paid |  | Deadline for initial decision |  |
| Receipt no. |  | Deadline for final decision |  |
|  |  |  |  |
| Date to Police |  | Date to committee |  |
| Date to Scottish Fire & Rescue Service |  | Decision |  |
| Date to EH |  | Date of determination |  |
|  |  |  |  |

Question 1 (a) – Business details

|  |  |
| --- | --- |
| Is the applicant a company or partnership? Please tick one of the boxes opposite to indicate.  |  company partnership Organisation |
| Company registration number |  |
| Name of company/partnership/organisation |  |
| Address of registered or principal office of businessE-mail address |  |
| Telephone number |  |
| If the applicant is a company or partnership please go to question 1 (b)If the applicant is an organisation please go to question 1 (c) |  |

1

1(b) – Details of partners or directors

|  |
| --- |
| Complete the full names (including any previous names), addresses, telephone numbers and places of birth of all partners and directors |
|  |
| First name | Middle name(s) | Surname  |
|  |  |  |
|  |  |  |
| Age | Date of birth | Place of birth |
|  |  |  |
|  |  |  |
| Previous name(s)  |  |
|  |  |
| Length of time resident in the UK | Nationality |  |
|  |  |  |
| Permanent address | Previous address |  |
| Post code | Post code |

|  |  |  |
| --- | --- | --- |
| Time resident at this address |  | E-mail address |
| Telephone number | Mobile number |

|  |  |  |
| --- | --- | --- |
| First name | Middle name(s) | Surname  |
|  |  |  |
|  |  |  |
| Age | Date of birth | Place of birth |
|  |  |  |
|  |  |  |
| Previous name(s) |  |
|  |  |
|  |  |
| Length of time resident in the UK | Nationality |
|  |  |
|  |  |
| Permanent address | Previous address |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
| Post code  | Post code  |
| Time resident at this address | E-mail address |
|  |  |
| Telephone number | Mobile number |

PLEASE CONTINUE ON A SEPARATE SHEET IF REQUIRED

2

Question 1 (c) – Organisation – additional details required

|  |  |
| --- | --- |
| Name of Organisation |  |
| Address within West Lothian Post Code |  |
| Type of Organisation |  |
| Charity Number (if applicable) |  |
| Name and address of secretary |  |
| Name and address of chairperson |  |

|  |
| --- |
| Question 2 – Day to day manager information  (see note 2 of the attached guidance notes)Give the details below of the person who proposes to carry on the day to day management of the licence to which this application relates |
|  |  |  |
| First name | Middle name(s) | Surname |
|  |  |  |
|  |  |  |
| Age | Date of birth | Place of birth |
|  |  |  |
|  |  |  |
| Previous name(s) | National Insurance Number |
|  |  |
|  |  |
| Length of time resident in the UK | Nationality |
|  |  |
| Permanent address | Previous address |
|  |  |
|  |  |
|  |  |
|  |  |
|  |  |
| Post code | Post code |
|  |  |
| Time resident at current address |
| Telephone number | Mobile number |
|  |  |
|  | E-mail address |

3

Question 3 – Premises details

|  |  |
| --- | --- |
| (a) This application is for: (please insert a cross/tick against combination required) |  Tattooing & or body piercing   Ear Piercing (using a gun system)  Electrolysis  Acupuncture  Micro-blading  Micro-pigmentation (Semi-Permanent  make up) Peripatetic (Mobile)  All of the above  |
| (b) If the application relates to premises give full details. See guidance notes. | Name:Address:Postcode: |
| (c) If the application relates to a vehicle or stall state the type and registration number of the vehicle or give the type of structure and dimensions |  |
| (d) If the application relates to a vehicle or stall give details of where it can be inspected by the licensing authority |  |

Question 4 – Type of licence

|  |  |
| --- | --- |
| Is this a renewal application? | yes/no |
| If yes, what is the licence number and renewal date? |  |
| Has anyone named in this application ever applied for and been refused a licence by any council? | yes/no |

|  |  |
| --- | --- |
| If yes, which council refused the licence and by whom was the application made? |  |
| When was it refused? |  |

|  |  |
| --- | --- |
| Has anyone named in this application ever held a licence which was suspended or revoked? | yes/no |

|  |  |
| --- | --- |
| If yes, which council suspended or revoked the licence? |  |

4

Question 5 – Further details

|  |  |
| --- | --- |
| Has anyone named in this application been convicted of any crime or offence?If answer is yes please provide details below; continue on separate sheet if necessary. | yes/no\* |
| Date | Court | Offence | Sentence |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

SUBJECT TO THE REHABILITATION OF OFFENDERS ACT 1974, ALL UNSPENT CRIMES AND OFFENCES MUST BE DECLARED (SEE NOTE 5 OF THE ATTACHED GUIDANCE NOTES).

|  |
| --- |
| Site notice  |
| Declaration by applicant re site notice (\*\* delete whichever is not applicable)\*\* (a) I declare that I shall, for a period of 21 days commencing with the date on which a fully completed application was submitted with the Council, display at or near the premises or site, so that it can conveniently be read by the public, a notice complying with the requirements of paragraph 2(3) of schedule 1 to the Civic Government (Scotland) Act, 1982. A form that may be used for this purpose is attached. (See note 11 of the attached guidance notes).or\*\* (b) I declare that I am unable to display a notice of this application at or near the premises or site because I have no right of access or other rights enabling me to do so, but that I have taken the following steps to acquire the necessary rights, namely:- Please detail the steps you have taken in the box below |
| but have been unable to acquire those rights |
| (c) I declare that the particulars given by me on this form are correct to the best of my knowledge and belief. (See note 6 of the attached guidance notes). |

5

Question 6 - Declaration by applicant

I declare that the information given by me on this form is correct to the best of my knowledge and belief.

|  |  |  |
| --- | --- | --- |
| Date | Signature of applicant\* |  |
|  | Print name of applicant\* |  |

\*This box can be signed by a director or partner of the business which is named on the form as the applicant.

If the application is being signed by an agent on behalf of the applicant please sign and complete the boxes below.

Declaration by agent on behalf of business

I declare on behalf of the business referred to in question 1 of this form that the information given by me on this form is correct to the best of my knowledge and belief.

|  |  |  |
| --- | --- | --- |
| Date | Signature of agent |  |
|  | Print name of agent |  |
|  | Address of agent  |  |

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 Civic Government (Scotland) Act 1982. In terms of the 1982 Act we are required to share this information with the following bodies:-

* Police Scotland; and where the licensed activity takes place within premises,
* the Scottish Fire and Rescue Service or other enforcing authority under Part 3 of the Fire (Scotland) Act 2005

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.

Some of the information provided by you on this form will be held on a register which is 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 copy of our Privacy Notice is available on request by contacting the Licensing Team, email: licensingservices@westlothian.gov.uk, telephone: 01506 281632.

6

**Guidance Notes**

A licence is required to carry on business providing tattooing/skin piercing

Skin piercing includes acupuncture, cosmetic body piercing or electrolysis, and tattooing is the insertion into the skin of any colouring material designed to leave a semi-permanent or permanent mark including micro pigmentation. An exemption from the licensing regime is provided where a regulated health care professional carries on the activity.

**What application form should I use?**

1 (a) This is the business/organisation form if you wish to apply to hold a licences as an individual you need to choose another form. Applications must be made on the most up to date version of the application form. Please download a form from our website (search for skin piercing and tattooing). It is helpful if you provide us with an email address as this allows us to contact you quickly if there are any issues arising in relation to your application.

Licences must be held by legal persons. Legal persons are either individuals, partnerships, companies or formally constituted organisations. It is important that you complete the correct form as this may have consequences for obtaining insurance as the licence holder will be the legal person responsible for operating under the licence. Your licence will come to an end if the partnership or company is dissolved or the organisation is not operated in line with its constitution or statutory requirements. Applications for licences to be held in the name of partnerships or organisations must be accompanied by evidence or existence of the partnership or organisation:-

1. If the applicant is a company we require the company number so we can check your directors details at Companies House. Details of all directors listed must be supplied. Applications should be signed by a director or an agent.
2. If the applicant is a partnership we require a copy of your partnership agreement or correspondence from HMRC containing your partnership tax reference. Applications must be signed by a partner or an agent.
3. If the application is an organisation we require a copy of the constitution or charity number and a letter from the secretary or chair of the organisation (if applicable) or Board member confirming that the office bearer/agent who has signed the application is authorised to make the application on behalf of the organisation. The letter of authorisation must be signed by an office bearer/Board member other than the one who signed the application. You should take legal advice if you are in any doubt who the applicant for the licence should be. Applications must be signed by an office bearer or an agent

This form is for a licence which will be in force for a year. There are different forms for temporary licences to operate for periods of less than 6 weeks.

**When should I make my application?**

1(b) The council has 12 months in which to determine applications. However, the majority of applications are determined in less than 60 days using delegated powers. Applications which attract adverse comments have to be referred to the Licensing Committee for determination. The committee meets monthly. You should therefore make your application as soon as possible several months before you wish to start operating.

You are also advised that you may require to obtain planning permission for the use of your premises as a skin piercing/tattooing establishment. If you do not have planning permission you should contact the Development Management Section on 01506 280000.

**Do I need to name a day to day manager at Q2 of the form?**

2. It is a requirement that a day to day manager is appointed and named at Q2 of the form. A person named as day to day manager should be the person who is in day to day control of the premises being licensed. The day to day manager is jointly responsible for the operation of the licence along with the licence holder. When submitting your application please also provide copy of the manager’s photocard driving licence or passport and proof of their current home address i.e. recent utility bill.

**Premises**

3.Please supply details of the premises you wish to licence. If these are part of a larger building you will need to supply a plan showing the areas you wish to be licensed.

If you are applying for a licence and your training is not yet complete Environmental Health will not be able to give a response to the licensing team for the approval of the licence to be granted until you are fully qualified.

**Type of licence**

4. Please indicate whether the application is to renew a current licence.

**Declaring Convictions**

5. In relation to question 5, if there is doubt as to which offences are spent, applicants should seek legal advice before completing this form.

**Submitting of Applications**

6. Please ensure that the correct signing box is used. Agents must sign the second box.

If the applicant is an organisation the form must be submitted by an agent. Unless the agent is a solicitor written authority from the applicant to make the application must be enclosed. This should be from a Board member. If you are signing the form as an agent please ensure you have signed it in the correct place at Q6.

Any person who in or in connection with the making of this application makes any statement which they know to be false or recklessly makes any statement which is false in a material particular shall be guilty of an offence and liable, on summary conviction to a fine not exceeding £2500.

Your application may be submitted in two ways -

* **By email:** You should download a copy of the most recent version of the form from our website and complete it by typing the information into the boxes on the form. You must sign the form to confirm that the information is correct by typing your name in the declaration section at Q6. The council accepts this as a signature. You should then check that the form has been fully completed and email it along with any supporting documentation to licensingservices@westlothian.gov.uk You will receive an emailed acknowledgement if it has been successfully delivered. Once your form and documents have been checked by the Licensing Team you will be emailed with information about how to make an online payment of the fee. Details of fees are available at the bottom of the webpage for each licensing scheme.Payment must not be made until you are advised that the application is competent**.**

* **By post:** You should download a copy of the most recent version of the form from our website and complete it by hand and sign the form to confirm that the information is correct at the declaration section at Q7. You should then check the form has been fully completed and post it along with any supporting documentation and a cheque for the fee which is applicable to the Licensing Team, West Lothian Council, West Lothian Civic Centre, Howden South Road, Livingston EH54 6FF. Details of fees are available at the bottom of on the webpage for each licensing scheme.

**APPLICATIONS CANNOT BE SUBMITTED AT THE CIVIC CENTRE OR AT ARROCHAR HOUSE OR ANY OTHER COUNCIL OFFICES**

Please ensure that this application is fully completed and that all required documents are lodged along with it. Incomplete applications will be returned for amendment and resubmission.

Information on fees and the supporting documents to be submitted with each application is available on the Board’s webpages at [www.westlothian.gov.uk](http://www.westlothian.gov.uk) and search for premises licence.

7. Once your application is complete it will be processed. You will receive an acknowledgement once your application is complete. We will then contact you once vetting is complete. Most applications are determined within 60 days but applications which require to be referred to the Licensing Committee for a decision will take longer to be determined. In the event of an application being refused or withdrawn after being processed, no refund of the application fee paid will be made.

8. To contact the Licensing Team please email licensingservices@westlothian.gov.uk or call 01506 281632. Please note if you are directed to our voicemail, please leave a message with your name and number and we will phone you back. Please note that the team cannot provide advice as to whether a licence is required. Applicants should seek legal advice from a solicitor or advice centre.

DISPLAY OF SITE NOTICES AND COMPLETION OF CERTIFICATES OF COMPLIANCE

1. Unless the application is for a temporary licence for a period of less than 6 weeks, a site notice must be displayed at or near the premises or site so that it can conveniently be read by the public, advertising your application. When your application is acknowledged as complete you will be required to send two photographs of the site notice to the Licensing Team. One photo must show the location of the notice and the other must be a close up clearly showing the wording of the notice.

The two notices are attached to these notes:

* Notice No. 1 provides a style of the notice to be displayed on the premises. It is called the Site Notice. This is a legal requirement.
* Notice No. 2 is a Certificate of Compliance and certifies that the applicant (or their agent) have complied with the legal requirements regarding the display of the site notice. This is a legal requirement.

**If your application is for a temporary Licence, this site notice is not required and the declaration (A) and (B) on page 5 of this application form should be deleted. The rest of these notes can be ignored.**

1. The site notice (notice no.1) must be

1. completed with details of the application and objection period (see 16 below)
2. displayed on the premises which are to be licensed for **at least 21 days** beginning with the date on which your fully completed application was lodged.
3. placed where it can be read easily by the public

**If your application is returned to you as it was not complete you will require to post a further site notice giving a further 21 day period for objections to be lodged.**

1. For applications for annual licences or for renewal of annual licences see the declaration section on page 5 of the form. You are required to delete (A) or (B) as appropriate.

Where declaration (A) is made, after the objection period has expired you must complete and send us the Certificate of Compliance with paragraph 2(2) of Schedule 1 to the Civic Government (Scotland) Act, 1982.

A style for such Certificate of Compliance is enclosed with this form (notice no.2).

Your application cannot be progressed until this certificate is received. If you have not displayed your site notice for the required 21 day period contact us and we will send you another one to display for a further period.

1. The Site Notice and Certificate of Compliance must contain the following information: -
2. The type of licence applied for.
3. The full name of the applicant. This may be an individual’s name or that of a company, partnership or organisation.
4. The home address of the applicant. Where a company, partnership or organisation is making the application the registered office of the company, or principal office of the partnership or organisation should be given.
5. The address of the premises to be licensed must be included even though the site notice must be displayed at that same address.
6. The site notice must be signed by the applicant or manager (in the case of a company, partnership or organisation) or an agent acting on the applicant’s behalf.
7. The date on which the site notice was first displayed should be clearly stated. The final date for the submission of objections or representations must be completed. This date is 28 days after the date of lodging of the application with the Council.
8. The Certificate of Compliance should only be signed and dated at the end of the objection period before it is returned to the Council and it should state quite clearly when the site notice was displayed. There has to be at least a period of 21 days between the two dates specified.

.

If you have any difficulties completing either of these notices, please contact Licensing Team staff on 01506 281632 who will be pleased to help.

**THIS NOTICE MUST BE DISPLAYED FROM THE DATE THE APPLICATION WAS SUBMITTED TO THE COUNCIL**

**SITE NOTICE Notice No. 1**

**Civic Government (Scotland) Act, 1982**

**APPLICATION FOR THE GRANT/RENEWAL OF A:**

|  |
| --- |
| **TYPE OF LICENCE**:See 12(1) |

**NOTICE IS HEREBY GIVEN THAT**

|  |
| --- |
| **NAME of Applicant (Individual, Company or Partnership):** See 12(2) |

of

|  |
| --- |
| **ADDRESS of the above named applicant:**See 12(3)  |

has applied to the **WEST LOTHIAN COUNCIL** for the grant/renewal of a

..............................................................................................licence. See 12(1). A licence for a 1 year period has been sought. The address of the premises or site for which the licence is sought is:

|  |
| --- |
| **ADDRESS of Site**See 12(4) |

Members of the public may object to this application or make representations concerning it. Any objection or representation must be made by letter or email and must give reasons for the objection or representation. The name and address of the person objecting or making representations must be stated clearly and any letter must be signed by that person or an agent authorised to act for them. Emails do not require a signature but must include a name and address. Objections or representations should be sent to the Licensing Team, Legal Services, West Lothian Council, West Lothian Civic Centre, Howden South Road, Livingston, West Lothian, EH54 6FF or emailed to licensingservices@westlothian.gov,uk by \*....................................................insert date i.e. 28 days after application is submitted. See 12(6)

Any letters containing objections or representations should be either delivered by hand to the address given above or sent by Recorded Delivery mail to that address.

The Council can entertain late objections or representations provided a final decision has not been taken on the relevant application if it is satisfied there is sufficient reason why it is late. If a late objection or representation is made it must be accompanied by an explanation for that lateness.

|  |
| --- |
| Signed ………………………………… See 12(6) |
| Date notice posted (i.e.date application submitted) ……………….. ………... See 12(6)  |

**THIS CERTIFICATE MUST BE COMPLETED AND RETURNED TO THE COUNCIL AFTER THE EXPIRY OF THE OBJECTION PERIOD**

 **Certificate of Compliance Notice No. 2**

**Civic Government (Scotland) Act, 1982**

|  |
| --- |
| **NAME:**See 12(2) |
| **ADDRESS:**See 12(3) |

having made application to West Lothian Council for the grant/renewal of a:

|  |
| --- |
| **TYPE of LICENCE:** |

in respect of:

|  |
| --- |
| **SITE ADDRESS**:See 12(4)  |

HEREBY CONFIRM THAT I/WE have complied with the terms of Paragraph 2 of Schedule 1 to the Civic Government (Scotland) Act 1982, by displaying a notice at or near the above mentioned premises or site where it could be conveniently be read by the public for a period of 21 days from \*........................................insert date application was submitted [See 12(6)]

Signed: ............................................................[See 12(7]

Date of signature ......................................................... [See 12(7)]