**West Lothian Licensing Board**

**Occasional Licences – Information for Applicants**

This document is designed to assist applicants for occasional licences by way of general guidance only in assisting applicants in relation to their addressing their responsibilities as prospective Occasional Licence holders.

This document is designed to give general guidance to assist applicants in addressing their responsibilities as prospective occasional licence holders.

It has been designed as a check sheet but does not require to be submitted with an application for an occasional licence.

Applicants for occasional licences i.e. licences which allow the temporary sale of alcohol in unlicensed premises should be aware that sales of alcohol are restricted by law and that they, their business or organisation will be responsible for all sales taking place under the occasional licence.

There are a number of mandatory and local conditions which will apply and non-compliance with these conditions is a crime. The Board’s occasional licence webpage and the LSO webpage contain information to assist applicants in operating within the law.

Most occasional licences are applied for in relation to one off events. The licence holder is responsible for ensuring that the event is run in a safe and responsible manner and in accordance with the licensing objectives.

|  |  |
| --- | --- |
| **You should be aware of the requirement to uphold the following licensing objectives when selling alcohol under an occasional licence*** **Preventing crime and disorder**
* **Securing public safety**
* **Preventing public nuisance**
* **Protecting and improving public health**
* **Protecting children and young persons from harm**
 | You should therefore consider how you will * prevent crime
* prevent disorder
* ensure the public are safe
* ensure your event does not cause any public nuisance
* protect and improve public health
* protect those under 18 at your event from harm
 |
| **As one of the standard local conditions requires the applicant to ensure that the maximum capacity of the premises is not exceeded are you aware of the maximum capacity of the premises?** | How will you ensure the premises are not overcrowded? |
| **Have you carried out a risk assessment regarding the event to consider** * **how many staff will be required?**
* **if stewards will be required? (see Security Industry website regarding the need to have licensed stewards)**
* **how volunteer stewards will be trained?**
 | It is for the applicant to assess the risk and decide to use stewards. Applicants must satisfy themselves as to whether stewards must be SIA licensed. They can do this by visiting the SIA website. [Security Industry Authority - GOV.UK (www.gov.uk)](https://www.gov.uk/government/organisations/security-industry-authority)Stewards must be fully briefed on their responsibilities. There is useful information on stewarding in the publication entitled “Events Guidance for Suppliers of Security” dated March 2023 which is available on the SIA website |
| **Will children and young persons be attending the event?****Do you have a clear plan regarding accessibility of children** **and young persons to the event?** | Where children and/or young persons are to be admitted to the premises, applicants should set out in clear terms any requirements for their admission (on the application form) and the policies and procedures in place to protect them from harm. |
| **Will the applicant be present during the entire event to act as a point of contact?**  | Applicants should nominate a primary point of contact, for licensing purposes, who will have primary responsibility for monitoring and ensuring compliance at the event with the basis upon which the licence is granted, as reflected in the information contained in the application, the conditions of the licence and, more generally, compliance with the terms of the 2005 Act. In the absence of such a designation this will be taken to be the applicant.  |
| **7. Do you have a clear action plan regarding illegal possession, supply, and/or use of drugs on the licensed premises;** | **Applicants should consider seeking guidance or assistance from Police Scotland.**  |
| **8. Are the event premises outdoors or partially outdoors or located within a temporary** **structure?** | The Board will need to be satisfied that the premises are suitable for the sale of alcohol. See the Board’s policy regarding Alcohol Management Plans (AMPs). If your event takes place outdoors or partially outdoors or is located within a temporary structure and you don’t submit an AMP your application will be referred to the Licensing Board which will inevitably delay the application process. You should give thought to the measures required to be put in place to ensure that alcohol cannot be taken out of the licensed area. Plans should include the following details:• The extend and dimensions of the boundary of the land or marquee etc, including any outside drinking areas and what you are using to delineate it with;• The location and names of any street surrounding the premises to be licensed from which members of the public have access to the premises;• The location and width of each point of access to and egress from the premises;• The location and width of any other escape routes from the premises;• The location of any equipment used for the detection or warning of fire or smoke or for fighting fires;• emergency lighting (locations) and back-up generators• The location of any toilets on the premises (identified as male, female, disabled as appropriate;• Any area on the premises set aside specifically for the use of children and young persons (differentiating between children and young persons where they can access different areas);• Any areas on the premises to which children and young persons will have access (again differentiating as required). |
| **9. Have you prepared a general health and safety risk** **assessment?** |  |
| **10. In relation to premises which are of non-traditional construction (see Section 7 of the Board’s Policy)**  | Have you identified on the application form that the premises fall within the Board’s definition of “non-traditional construction”? Have you included with your application a noise management plan detailing the steps you intend to take to prevent noise nuisance?  |

|  |  |
| --- | --- |
| **11. Is there an evacuation plan with muster points?** |  |
| **12. Are you aware of your responsibilities under Part 3 of the** **Fire (Scotland) Act 2005 (as amended) regarding fire safety?** | For most premises (temporary or otherwise) a Fire Safety Risk Assessment (FSRA)should have been carried out and should be available for inspection at the request of the Fire Service. This can form part of a general health and safety risk assessment of the event or premises. Even where the applicants for the licence have not organised the event they should be aware of the contents of the FSRA. From the Risk Assessment significant findings may be identified and these need to be addressed to manage the risk.Further information on the above is available from the Scottish Fire and Rescue Service.  |

This document is provided by way of general guidance only. **The organiser of the event is fully responsible for the safe, legal operation of the event.**

**Please note that the West Lothian Licensing Board does not accept responsibility for your risk assessment(s) and is not in a position to validate it or them. This guide is, therefore, not intended to be comprehensive or exclusive. You are advised to consider these matters carefully and if in doubt, engage appropriate professionals to assist you in these matters.**

Licensing Team, November 2023