

# ***Aberdeenshire Licensing Boards***

## ***North Divisional Licensing Board***

### **The Licensing (Scotland) Act 2005 Occasional Licence Applications – Additional Information**

This document is designed to provide advice and assistance to licence holders in relation to addressing their responsibilities as prospective occasional Licence holders. It is particularly relevant for large outdoor events, and may also be of use to applicants requiring to apply for a public entertainment licence as well as an occasional licence.

The document does NOT require to be submitted with an application for a public entertainment licence or occasional licence, but is designed to help applicants identify areas that need to be considered in their health and safety risk assessment and licensing objectives assessment.

**The applicant or licence holder is responsible for ensuring that the event is run in a safe and responsible manner.**

The Board has compiled the undernoted list of questions to help applicant identify matters that require to be addressed. This list is not exhaustive. It should be read in conjunction with the Guidance Notes produced for applicants on applying for Occasional Licences that is issued with the occasional licence application form.

The Board expects applicants to demonstrate that:-

- ◆ they are suitable to hold an occasional licence,
- ◆ the premises proposed are suitable for the sale alcohol (as well as the other activities proposes), that policies, procedures, checks, and
- ◆ appropriate training will all be in place to promote the licensing objectives.

Applicants require to demonstrate all of these matters through the information provided in the application form and, where appropriate, by providing additional information.

The Board will consider all licensing objectives, but will give significant weight to the protection of children and young persons. (children being 0-15 years and young persons being 16 & 17 years)

Where the Board is not satisfied that issues have been sufficiently address by the applicants, the Board may request further information, proceed to a hearing, place conditions upon the licence to address concerns or even refuse the licence.

PLEASE CONSIDER ALL OF THE QUESTIONS THAT FOLLOW.

<p><b>1. Are you fully conversant with the 5 licensing objectives?</b></p> <ul style="list-style-type: none"><li>◆ Preventing crime and disorder</li><li>◆ Securing public safety</li><li>◆ Preventing public nuisance</li><li>◆ Protecting and improving public health</li><li>◆ Protecting children from harm</li></ul> <p>As outlined in the Guidance for Applicants, applicants should attach a risk assessment informing the Board of the policies and procedures designed to promote the licensing objectives at the event and to minimise risks. This should include details of proposed training and monitoring of staff to ensure that these policies and procedures are followed.</p>	<p>YES/NO</p>
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**2. Have you attached a plan including a detailed premises plan and a site layout plan?**

Applicants should note that a scale plan is always a good idea and a plan should be attached to the application wherever possible. Where a particular premises might host regular events then the applicants should assist the Board in building a database of plans to avoid duplication.

Where application is made on behalf of registered club premises, which are the subject of a premises licence, the applicants should alert the Board of this and the Board can then rely on the premises licence plan.

Plans should include the following details:

- ◆ The extend and dimensions of the boundary of the building, land, marquee etc, including any outside drinking areas;
- ◆ 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;
- ◆ The location of any steps, stairs, elevators or lifts on the premises;
- ◆ 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).

YES/NO

Is application made on behalf of a registered club YES/NO

Tick all relevant information provided on the plan

**3. Are the premises outdoors or located within a temporary structure?**

A scale plan is essential - see above for the criteria required. Applicants should provide specific information on the means of escape (location and width of exits), the public address system, site access for visitors, the location of portable toilets and hand washing facilities, and in case of emergencies, special requirements, emergency lighting (locations) and back up generators.

YES/NO

Please complete question 2 above regarding the details on the plan

**4. 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 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. Applicant should attach a copy of the risk assessment.

Even where the applicants for the licence have not organised the event they should be aware of this document and must still produce a copy.

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 at [www.infoscotland.com/firelaw](http://www.infoscotland.com/firelaw)

YES/NO

Fire Risk Assessment completed

Or

Health and safety Risk assessment (including fire safety) completed

<p><b>5. Have you prepared a general health and safety risk assessment?</b></p> <p>Applicants should attach a copy of this assessment.</p> <p>Even where the applicants for the licence have not organised the event they should be aware of this document and must still produce a copy.</p>	<p>YES/NO</p> <p>Health and Safety Risk Assessment completed</p>
<p><b>6. Do you have a clear plan regarding accessibility of children and young persons to this event?</b></p> <p>The Board will give significant weight to the protection of children and young persons. Where children and/or young persons are to be admitted to the premises, applicants should set out in clear terms the provisions for their admission (on the application form) and the policies and procedures in place to protect them from harm (risk assessment – see question 1 above)</p>	<p>YES/NO</p> <p>Application Form to be completed</p> <p>Policies to be included in licensing objectives assessment</p>
<p><b>7. Do you have a clear Action Plan regarding potential drug abuse?</b></p> <p>Applicants should attach details of policies and procedures in this regard that further the licensing objectives (risk assessment – see question 1 above)</p>	<p>YES/NO</p> <p>Policies to be included in licensing objectives assessment</p>

**8. Do you have adequate stewarding and will stewards be fully briefed on all their responsibilities?**

**How many SIA stewards will be employed?**

**How many non-SIA stewards will be employed?**

It is for the organisers to assess the risk and decide to use stewards. Organisers must satisfy themselves as to whether stewards must be SIA registered. They can do this by visiting the SIA website at [www.the-sia.org.uk](http://www.the-sia.org.uk)

Applicants should attach their policy on the use of stewards. Where the Board considers that the policy does not adequately address concerns, the Board may consider appropriate conditions.

Again, this can form part of an overall health and safety risk assessment for the event.

NOTE: if an applicant uses non-registered stewards and those stewards become involved in restraining persons at event, those stewards may leave themselves open to charges of assault

Applicants should also ensure that they used insured stewards and, if using a security company to provide stewards, should ensure that those stewards are SIA registered, that the company holds the appropriate SIA licences and that the stewards have been adequately insured by the company.

More information can be found in the publication called "Security at Events: Guidance on the Private Security Industry Act 2001" updated February 2008 which is available on the SIA website. Please check the above website to obtain any updated information.

YES/NO

No of SIA Stewards .....

No of Non-SIA Stewards .....

Policy on Stewards completed

Or

Health and safety risk assessment (inclusive of policy on stewards) completed

Are the stewards properly insured YES/NO

<p><b>9. Is there an evacuation plan with muster points?</b></p> <p>Applicants should attach this. Again, this can form part of an overall health and safety risk assessment for the event.</p>	<p>YES/NO</p> <p>Evacuation Plan completed or Health and safety assessment (inclusive of evacuation plan) completed</p>
<p><b>10. Will the organiser or a representative of the organiser be readily available throughout the event?</b></p> <p>Applicants should consider the nomination of a primary point of contact, for licensing purposes, who will have primary responsibility for monitoring and ensuring compliance with the policies, procedures and the licence. In the absence of such a designation this will be taken to be the applicant. Where an event proves to be the source of problems or behaviour contrary to the licensing objectives then this may have consequences for any other licence held by the applicant.</p>	<p>YES/NO</p> <p>Where a representative of the organiser is to be available, please include their name, address and a contact telephone number in your health and safety risk assessment.</p>
<p><b>11. Do the premises comply with Food Safety Legislation?</b></p> <p>Please check with the Environmental Health Service of Aberdeenshire Council for further assistance on this issue.</p> <p>Applicants do not need to provide the relevant certificates with this application but are reminded that, in the absence of adequate provision, the applicant may face enforcement action from the Environmental Health Service.</p> <p>Where applicants for a licence intend to use outside caterers for a particular event or function, the applicants should detail the caterers to be used and should supply this information to the Environmental Health Service in advance of the event so that Environmental health can ensure compliance.</p>	<p>YES/NO</p>
<p><b>12. Are hand washing facilities available?</b></p> <p>See 11 above</p>	<p>YES/NO</p>

<p><b>13. Are alternative/disposable “glasses” to be used?</b></p> <p>The policy on the use of plastic or polycarbonate “glasses” should be attached. The Board expects all outdoor events and events taking place in marquees, barns and similar events to use such glasses. These should either be crown stamped or appropriate optics should be used on the premises.</p> <p>The Board may attach conditions to the licence in this regard.</p> <p>Applicants should note that if “glasses” are not disposable, then adequate washing facilities should be provided.</p>	<p>YES/NO</p> <p>Policy on glasses completed</p> <p>Or</p> <p>Health and safety risk assessment (including policy on glasses) completed</p>
<p><b>14. Have you considered noise levels and the proximity of neighbours?</b></p> <p>Applicants should demonstrate what steps have been taken where noise levels are likely to be high, particularly with regard to live or recorded amplified music.</p> <p>See the attached guidance note for further information.</p>	<p>YES/NO</p> <p>Policy on noise completed</p> <p>Or</p> <p>Health and safety risk assessment (including policy on noise) completed</p>
<p><b>15. Are your hours of operating suitable?</b></p> <p><b>Do they fall within the policy set out by the Licensing Board?</b></p> <p>Applicants should describe and demonstrate the suitability of the hours proposed in terms of the premises location, planned activities and neighbouring premises.</p> <p>Please refer to the document entitled “Guidance on applying for an Occasional Licence” for information on the Board’s policy hours.</p> <p>Alternatively, refer to Appendix 5 of the Board’s current policy statement which is published at <a href="http://www.aberdeenshire.gov.uk">www.aberdeenshire.gov.uk</a></p>	<p>YES/NO</p> <p>YES/NO</p>

<p><b>16. Is there a policy in place to ensure “no smoking” in enclosed premises and what are the arrangements for smokers?</b></p> <p>Applicants should attach details of policies and procedures, which may also refer back to question 12 above in terms of outdoor noise from smokers.</p>	<p>YES/NO</p> <p>Policies on smoking completed</p> <p>Or</p> <p>Health and safety risk assessment (including smoking policy) completed</p>
<p><b>17. Is there appropriate signage in place including signs for licensing purposes and “no smoking” signs</b></p> <p>For further guidance on signs required, please contact the Licensing Standards Officers of Aberdeenshire Council.</p>	<p>YES/NO</p>
<p><b>18. Have you considered how the size of the event may affect policies and procedures?</b></p> <p>For smaller events then organisers should take account of literature and guidance (including this document) produced by the Board, the Licensing Standards Officers, the Police and Fire &amp; Rescue Service.</p> <p>For larger events, whether or not the sale of alcohol is ancillary to the main activity, then organisers should demonstrate that they have taken note of the information contained with the “Purple Guide”: the Guide to health, safety and welfare at pop concerts and similar events Health and Safety Commission/Home Office/Scottish Office/ HMSO 1993 ISBN 0 11 341072 7</p> <p>For larger events (100 + attendees), organisers should particularly take note of question 10 above and nominate a person to be in charge of the bar who either holds a valid personal licence or has completed training to the same standard as a personal licence holder. Where the Board considers this has not been adequately addressed, the Board may take advice from the Police, the Licensing Standards Officers and partner organisations and where it is proportionate and in line with the licensing objectives, then such a condition may be placed on the licence.</p>	<p>YES/NO</p> <p>Health and Safety risk assessment (including evidence that size of the event has been considered) completed</p> <p>Evidence of training to personal licence holder standard obtained and submitted with application</p> <p>Or</p> <p>Copy personal licence submitted with application</p> <p>Evidence of Staff training submitted with application</p>

<p><b>19. Have you considered that there may be other licensing requirements?</b></p> <p>This may include a public entertainment licence, late hours catering licence, Performing Rights Society Licence (<a href="http://www.prdformusic.com">http://www.prdformusic.com</a>) or Phonographic Performance Limited Licence (<a href="http://www.ppluk.com">http://www.ppluk.com</a>).</p> <p>It is the organiser's responsibility to ensure that all licences that may be required are in place.</p>	<p>YES/NO</p>
<p><b>20. For applicants who are representatives of voluntary organisations or members' clubs</b></p> <p>These applicants are limited to the number of occasional licences that can be applied for and applicants should indicate the number and dates of occasional licences obtained within the relevant 12-month period.</p> <p>The Board has defined a 12-month period as running from 1<sup>st</sup> January to 31<sup>st</sup> December each year.</p>	<p>List below the dates of previous occasional licences granted by the Board between 1<sup>st</sup> January and 31<sup>st</sup> December.</p>
<p><b>21. How many attendees are expected at the event?</b></p>	
<p><b>22. Is the event to be by way of advance tickets sales only?</b></p>	

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

**Please note that the North Aberdeenshire Licensing Board does not accept responsibility for your risk assessment(s) and is not in a position to sign it (them) off. You are advised to consider these matters carefully and if in doubt, engage appropriate professionals to assist you in these matters. The Board reserves the right to comment on the content of your risk assessment(s) and ask for more or different information as may be required.**