

GUIDANCE NOTES: HOW TO MAKE AN OBJECTION OR REPRESENTATION TO AN OCCASIONAL LICENCE.

Occasional licences are granted to premises that are not licensed for the sale of alcohol for a specific event or occasion. An example of an occasion where this type of licence would be appropriate would be a wedding reception held in a community centre or a church hall.

Applications for occasional licences are advertised on our website for a period of 7 days.

Who Can Make an Objection or Representation?

Any person may make an **Objection** to an application for an occasional licence provided that the objection is made on grounds relative to the statutory grounds for refusal of a licence detailed in the Licensing (Scotland) Act 2005. Therefore you must relate your objection to one or more grounds for refusal, which are:

- that the subject premises are excluded premises,
- that the application must be refused under section 64(2) because application has been made for a 24 hour licence;
- that the application must be refused under section 65(3) because hours for the sale of alcohol for consumption of the premises fall outside the times 10:00am to 10:00pm;
- that the granting of the application would be inconsistent with one or more of the licensing objectives.
- that, having regard to the nature of the activities proposed to be carried on in the subject premises, the location, character and condition of the premises, and the persons likely to frequent the premises, the Board considers that the premises are unsuitable for use for the sale of alcohol;

Similarly, any person may make **Representations** in support of an application or as to conditions which the person considers should be imposed.

How Do I Make an Objection or Representation?

Objections and representations have to be made by the due date in writing and submitted by mail, e-mail or fax to:-

**The Clerk to the Board
c/o Licensing Section
Municipal Buildings
West Bridge Street
Falkirk. FK1 5RS**

E-mail: licensing@falkirk.gov.uk

Fax: 01324 501588

How Will my Objection or Representation be Processed?

If we receive an objection or representation, we must give a copy of it to the applicant.

Officers grant occasional licences under delegated powers where no objections or representations have been submitted. However, where objections or representations have been received, the application must be determined by the Licensing Board. On receipt of an objection or representation the Licensing Board will hold a Hearing and it is required to have regard to the terms of these in determining the application concerned.

You will be asked to attend the meeting of the Licensing Board to speak in support of your objection or representation. If you are not able to attend the meeting, we will write to you to let you know the decision of the Board.

The Falkirk Council Licensing Board can reject frivolous or vexatious objections or representations. In these circumstances, the Board may recover from the person who made the objection or representation any expenses incurred by the Board in considering them.