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| Falkirk Council Crest  FALKIRK COUNCIL LICENSING BOARD | **Licensing Section**  **Falkirk Council**  **The Foundry**  **4 Central Park**  **Central Boulevard**  **Larbert, FK5 4RU**  **Telephone: 01324 501575**  **E-mail: licensing@falkirk.gov.uk**  **DX 556562** |

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| Licensing (Scotland) Act 2005 (Section 34)APPLICATION FORTRANSFER OF PREMISES LICENCE **BY PERSON OTHER THAN**  **CURRENT PREMISES LICENCE HOLDER** |
| Before completing this form please read the attached notes for guidance.If you are completing this form by hand, please write legibly in block capitals using black ink |

**Question 1 – PREMISES DETAILS**

|  |
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| Premises Name  Premises Address  Post Code  Premises phone No  Premises Licence No |

**Question 2 - CURRENT PREMISES LICENCE HOLDER**

**(TRANSFEROR) DETAILS**

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| Name of Premises Licence Holder    Address  Postcode |

**Question 3 – REASON FOR MAKING APPLICATION**

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| In terms of Section 34(3) of the Licensing (Scotland) Act 2005 please confirm the reason why the application for transfer has not been lodged by the Premises Licence Holder. Please alsoprovide documentary evidence of your capacity to apply for this transfer. (e.g. copy of power of attorney, confirmation of appointment by the court as executor, letter of consent from applicant etc).  Please tick one of the following -  **3(a) The Premises Licence Holder, being an individual has-**  Died, or  Become incapable within the meaning of Section 1(6) of the Adults with Incapacity (Scotland) Act 2000  **3(b)** **The Premises Licence Holder being an individual, a partnership, or a company has-**  Become insolvent  **3(c)** **The Premises Licence Holder being a person other than an**  **individual, a partnership, or a company has-**  Been dissolved  **3(d)**  **The business carried out in the licensed premises to which the licence relates is being Transferred (whether by sale or otherwise) to another person**  **3(e) Give the Date on which any of the events referred to in Questions 3**  **(a) (b) or (c) took place**  **3(f) Give the Date on which the transfer referred to in Question 3 (d) is to take effect.** |
| **NOTE - A SEPARATE APPLICATION WILL BE NECESSARY IF A CHANGE OF DESIGNATED PREMISES MANAGER IS TO TAKE PLACE** |

**Question4 *-* APPLICANT (TRANSFEREE) DETAILS**

*4(a) Where the Transferee (Applicant) is an* ***individual****, provide full name, date and place of birth, and home address including postcode*

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| Name  Date & Place of Birth  Home Address  Postcode  Phone number  E-mail address |

*4(b) Where the Transferee (Applicant) is a* ***partnership****, please provide full name and postal address of partnership.*

|  |
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| Name  Address  Postcode  Phone number  E-mail address |

*4(c) Where the Transferee (Applicant) is a* ***company****, please provide name, registered office and company registration number.*

|  |
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| Name  Registered Office  Company Registration No.  Phone number  E-mail address |

*4(d) Where the Transferee (Applicant) is a* ***club or other body****, please provide full name and postal address of club or other body.*

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| Name  Address  Postcode  Phone number  E-mail address |

*4(e) Where the Transferee (Applicant) is a* ***partnership, company, or other body****, please provide the names, dates and places of birth, and home addresses of connected persons* (connected person is defined in Section 147(3) of the Licensing (Scotland) Act 2005 – see Guidance Note 2).

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| Name  Date & Place of Birth  Home Address  Postcode  Phone number  E-mail address  ­­­­­­­­­­­­­­­­­­­­­­\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_  Name  Date & Place of Birth  Home Address  Postcode  Phone number  E-mail address |

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| Name  Date & Place of Birth  Home Address  Postcode  Phone number  E-mail address |
| Name  Date & Place of Birth  Home Address  Postcode  Phone number  E-mail address |
| Name  Date & Place of Birth  Home Address  Postcode  Phone number  E-mail address |

**Use separate sheet if necessary**

**Question 5 – *DETAILS OF CONVICTIONS FOR RELEVANT OR FOREIGN***

***OFFENCES***

In respect of the proposed transferee or any connected person please provide details below of any convictions for a relevant or foreign offence that is not considered spent under the Rehabilitation of Offenders Act 1974.

|  |  |  |  |  |
| --- | --- | --- | --- | --- |
| **Name** | **Date of Conviction**  **or Sentence** | **Court** | **Offence** | **Penalty** |
|  |  |  |  |  |

**Use separate sheet if necessary**

**Question 6 - LICENCE TO BE TRANSFERED**

(See Guidance Note 1)

Does the appropriate Premises Licence accompany this application? **YES/NO**

If the answer is **NO**, please provide an explanation as to why this cannot be provided.

I am unable to produce the Premises Licence because -

The licence has not yet been issued by the Board.

The licence has already been returned to the Board in respect of an earlier application for variation or transfer.

The licence is/was in the possession of the current Premises Licence Holder and is unobtainable (see note 2).

Other (provide details) ………………………………………………..

**DECLARATION BY APPLICANT (TRANSFEREE) or AGENT ON BEHALF OF APPLICANT (If signing on behalf of the applicant please state in what capacity you are doing so).**

The contents of this Application are true to the best of my knowledge and belief.

Signature ………………………………………………………… (see note below)

Date …………………………………………………………

Name in full …………………………………………………………

Tel no. …………………………………………………………

E-mail address …………………………………………………………

Capacity - APPLICANT/AGENT/SOLICITOR/OTHER ……………………..

(delete/add as appropriate).

Agent details Company ………………………………………………

Address ………………………………………………

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………………………………………………

Tel No. ………………………………………………

E-mail ………………………………………………

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| ***I have enclosed the relevant documents with this application – please tick the relevant boxes*** |

|  |  |
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| ***Premises Licence*** |  |
| ***Documentary evidence to support making of application – see Question 3*** |  |
| ***Letter explaining why the Premises Licence has not been produced.*** |  |
| ***Fee*** |  |

**Data Protection Act 1998**

The information on this form will be used to update the Premises Licence of the appropriate premises. Accordingly, the information contained on this form may be held on an electronic public register which may be available to members of the public on request.

Your privacy is important to us. You can find out how we deal with your personal information here: <http://www.falkirk.gov.uk/privacy/law-licensing/licensing/>

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| **For use by the Licensing Board only**  **Application checklist** |

|  |  |
| --- | --- |
| **Date received** |  |
| **Fee amount** |  |
| **Receipt number** |  |
| **Received by (*INITIALS*)** |  |
| **Date granted/refused**  **(delete as appropriate)** |  |

**FEES**

If this application is submitted together with an application for variation then it will be subject to a combined fee.

|  |  |
| --- | --- |
| Transfer on *Behalf of Licence Holder* |  |
| Transfer under S33(1) | £36 |
| Transfer under S33(1) including minor variation | £56 |
| Transfer under S33(1) including non minor variation | £196 |
|  |  |
| Transfer *on behalf of Person other than Licence Holder* |  |
| Transfer under S34(1) | £36 |
| Transfer under S34(1) including minor variation | £56 |
| Transfer under S34(1) including non minor variation | £196 |
|  |  |
| Copy of Premises Licence | £25 |

**Application for Transfer of a Premises Licence**

**Guidance Notes**

**Note 1**

The appropriate premises licence (including summary licence, operating plan and layout plan) must be returned to the Licensing Authority in order that the licence documents can be updated to reflect the details of the transfer. If you are in possession of the appropriate Premises Licence but unable to provide said licence with this application, you must ensure the licence is forwarded to the Licensing Authority within 14 days in order to complete the process of transfer.

**Note 2**

Licensing (Scotland) Act 2005 - Section 147 (3)

For the purposes of this Act, a person is, in relation to a partnership, a company, a club or other body (whether incorporated or unincorporated), a connected person, if the person—

(a) in the case of a partnership, is a partner,

(b) in the case of a company—

(i) is a director, or

(ii) has control of the company,

(c) in the case of a club, is an office bearer of the club,

(d) in any other case, is concerned in the management or control of the body.