

APPLICATION FOR TRANSFER OF LICENCE

- * *Licensing (Scotland) Act 2005, Section 33 - Transfer on application of licence holder*
- * *Licensing (Scotland) Act 2005, Section 34 - Transfer on application of person other than licence holder*

(* Please Delete as Appropriate)

Note: The premises licence to which this application relates should accompany the application, if that is not practicable, a statement of the reasons for failure to produce the licence is required.

Question 1

Is this an application in terms of Section 33 or Section 34 of the Licensing (Scotland) Act 2005 - (See Notes – 2 and 3)

<i>Section 33 – Provide Name, Address and Date of Birth of Licensee</i>	<i>Section 34 – Provide Name, Address and Date of Birth of Applicant</i>

Question 2

Name, address and postcode of premises

Question 3

Particulars of transferee

3(a) *Where transferee is an individual, provide full name, date and place of birth, home address including postcode and contact telephone number.*

3(b) *Where transferee is a partnership, please provide full name, postal address and contact telephone number of partnership.*

3(c) *Where transferee is a company, please provide name, registered office, contact telephone number and company registration number.*

3(d) *Where transferee 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.**

Question 4

Previous convictions

<i>Has the transferee or any connected person ever been convicted of a relevant or foreign offence. *If YES – please provide full details</i>	<i>*YES/NO</i>
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For the purpose of this Act, a conviction for a relevant offence or foreign offence is to be disregarded if it is spent for the purpose of the Rehabilitation of Offenders Act 1974

<i>Name & position (if applicable)</i>	<i>Date of conviction or sentence</i>	<i>Court</i>	<i>Offence</i>	<i>Penalty</i>

Question 5

<i>Is the transfer of premises licence due to a change in tenancy? If so please provide a copy of the signed lease agreement.</i>	<i>YES/NO</i>
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DECLARATION BY APPLICANT OR AGENT ON BEHALF OF APPLICANT

If signing on behalf of the applicant please state in what capacity.

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

Signature

Date

Capacity APPLICANT/AGENT (delete as appropriate)

Telephone number of signatory

E-Mail address of signatory.....

Please note that it is an offence to make a false statement in or in connection with this application (Criminal Law (Consolidation) (Scotland) Act 1995 Section 44(2)(b).

East Ayrshire Council is under a duty to protect the public funds it administers, and to this end may use the information you provide on this form for the prevention and detection of fraud. It may also share this data with other bodies including government organisations for these purposes. Further information can be obtained from:

www.east-ayrshire.gov.uk/CouncilAndGovernment/Benefits/BenefitFraudInvestigation/NationalFraudInitiative.aspx

*** Data Protection Act 1998**

The information on this form may be held on an electronic public register which may be available to members of the public on request.

NOTES TO APPLICANTS

Please Read Carefully

1. An Application for Transfer must be accompanied by:-
 - (a) the premises licence to which the application relates, or
 - (b) if that is not practicable, a statement of the reasons for failure to produce the licence.

2. In terms of Section 33 of the Licensing (Scotland) Act 2005, a premises licence holder may apply to the appropriate Licensing Board for the transfer of the licence to such person as is specified in the application. The transferee may not be an individual under the age of 18.

3. In terms of Section 34 of the Act, a person other than:-
 - (a) the holder of a premises licence, or
 - (b) an individual under the age of 18, may, within 28 days of the occurrence of any of the undernoted events, apply for the transfer to that person of the licence. The events are that:-
 - (i) the premises licence holder, being an individual, dies or becomes incapable within the meaning of Section 1(6) of the Adults with Incapacity (Scotland) Act 2000;
 - (ii) the premises licence holder, being an individual, a partnership or a company becomes insolvent;
 - (iii) the premises licence holder, being a person other than an individual, a partnership or a company, is dissolved, and
 - (iv) the business carried on in the licensed premises to which the licence relates is transferred (whether by sale or otherwise) to another person.

4. Please return the completed form to the Clerk to the Licensing Board, Council Headquarters, London Road, Kilmarnock, KA3 7BU, together with the application fee and original premises licence.

5. Fees Section 33(1) Transfer of Licence by licence holder – no variation £50
 Section 34(1) Transfer by person other than licence holder – no variation £60

<u>For use by the Licensing Board only</u>	
Application checklist	
Date received	
Fee amount	
Receipt number	
Received by (<i>INITIALS</i>)	
Consideration date	
Last date for consideration	
Date of initial hearing	
Date of any modification hearing	
Date granted/refused (delete as appropriate)	

East Ayrshire Licensing Board do not routinely translate application forms, however, if you would like to have any of our documents translated, we will be happy to do this on request. Licensing staff will be available to assist with application forms.