

**Licensing (Scotland) Act 2005, section 20**  
**APPLICATION FOR PREMISES LICENCE/PROVISIONAL**  
**PREMISES LICENCE\***

\*Delete as appropriate

If you are completing this form by hand, please write legibly in block capitals using ink.

To:

**The Depute Clerk:-  
Aberdeenshire Licensing Board  
Aberdeenshire Council  
Legal & People  
Viewmount  
Arduthie Road  
Stonehaven  
AB39 2DQ**

**APPLICANT INFORMATION** *Licensing (Scotland) Act 2005, section 20(1)*

**Question 1**

*Name, address and postcode of premises to be licensed.*

**Question 2**

*Particulars of applicant*

2(a) *Where applicant is an individual, provide full name, date and place of birth, and home address including postcode.*

2(b) *Where applicant is a partnership, please provide full name and postal address of partnership.*

2(c) *Where applicant is a company, please provide name, registered office and company registration number.*

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

2(e) *Where applicant is a partnership, company, club 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 3

#### Previous applications

|   |         |
|---|---------|
| <i>Has the applicant been refused a premises licence under section 23 of the Licensing (Scotland) Act 2005 in respect of the same premises?</i> | YES/NO* |
|---|---------|

*If YES – provide full details*

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|  |
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### Question 4

#### Previous convictions

|   |         |
|---|---------|
| <i>Has the applicant or any connected person ever been convicted of a relevant or foreign offence<sup>a</sup></i> | YES/NO* |
|---|---------|

*\*If YES – provide full details*

*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*

| <b>Name &amp; position (if applicable)</b> | <b>Date of conviction or sentence</b> | <b>Court</b> | <b>Offence</b> | <b>Penalty</b> |
|--|---------------------------------------|--------------|----------------|----------------|
|  |                                       |              |                |                |

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<sup>a</sup> In addition to any convictions held by the applicant at the time of application, applicants should also familiarise themselves with the contents of section 24(1) of the Licensing (Scotland) Act 2005 in respect of any convictions for relevant or foreign offences which they may receive during the period beginning with the making of the premises licence application and ending with determination of the application.

**DESCRIPTION OF PREMISES** *Licensing (Scotland) Act 2005, section 20(2)(a)*

**Question 5**

5 *Description of premises (where application is submitted by a members' club, please also complete question 6)*

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|  |
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**Question 6**

6 *To be completed by members' clubs only*

|   |                |
|---|----------------|
| <i>Do the club's constitution and rules conform to the requirements of regulation 2 of the Licensing (Clubs) (Scotland) Regulations 2007?</i> | <i>YES/NO*</i> |
|---|----------------|

*\*Delete as appropriate*

**ADDITIONAL MATERIAL – PREMISES LICENCE APPLICATION LODGED NO LATER THAN 16TH JANUARY 2009**

|  |                |
|--|----------------|
| <i>Is there a licence under the Licensing (Scotland) Act 1976 held in respect of the premises?</i> | <i>YES/NO*</i> |
|--|----------------|

*\*Delete as appropriate*

|  |                |
|--|----------------|
| <i>If so, do you consider the application to be a "Grandfather Rights" application (i.e. one falling within article 18 or 19 of the Licensing (Transitional and Saving Provisions) (Scotland) Order 2007)?</i> | <i>YES/NO*</i> |
|--|----------------|

*\*Delete as appropriate*

**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 **and the appropriate persons have read and understood the attached privacy notice.**

Signature ..... \* (see note below)

Date .....

Capacity ..... APPLICANT/AGENT (delete as appropriate)

Telephone number and email address of signatory .....

**GDPR**

**The applicant, any connected person and any other person who has supplied personal information as part of this application MUST READ AND UNDERSTAND THE ATTACHED PRIVACY NOTICE.**

| <i>I have enclosed the relevant documents with this application – please tick the relevant boxes</i> |  |
|--|--|
| <i>Operating plan</i>  |  |
| <i>Layout plan</i>   |  |
| <i>Planning certificate</i>  |  |
| <i>Building standards certificate</i>  |  |
| <i>Food hygiene certificate</i>  |  |

**\* 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.



**Licensing (Scotland) Act 2005**

**Section 20(2)(b)(ia)**

**DISABLED ACCESS AND FACILITIES STATEMENT**

**Question 1**

**Disabled Access and Facilities**

|                               |  |         |
|-------------------------------|--|---------|
| 1(a)                          | Is there disabled access to the premises   | YES/NO* |
| 1(b)                          | Do you have facilities for those with a disability   | YES/NO* |
| 1(c)                          | DO you have any other provisions available to aid the use of the premises by disabled people | YES/NO* |
| <i>*Delete as appropriate</i> |  |         |

If you have answered YES to any of the questions above please complete, as appropriate, the following sections.

**Question 2**

**Disabled access to, from and within the premises**

Please provide a clear and detail description of how accessible the premises are for disable people. E.g. ramps, accessible floors, signage.

### **Question 3**

#### **Facilities available**

Please describe in detail the facilities provided for disabled people e.g. disabled toilets, lifts, accessible tables.

### **Question 4**

#### **Other provisions**

Please provide details of any other provisions made to aid the use of the premises by disabled people e.g. assistance dogs welcome, large print menus.



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 Disabled Access and Facilities Statement are true to the best of my knowledge and belief.

Signature ..... \* (see note below)

Date .....

Capacity ..... APPLICANT/AGENT (delete as appropriate)

Telephone number and email address of signatory .....

**\* 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.

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

| <b>For use by the Licensing Board only</b>      |  |
|---|--|
| <b>If application is for a premises licence</b> |  |
| <b>Documents required</b>                       |  |
| <b>Operating plan</b>                           |  |
| <b>Layout plan</b>                              |  |
| <b>Planning certificate</b>                     |  |
| <b>Building standards certificate</b>           |  |
| <b>Food hygiene certificate</b>                 |  |

| <b>For use by the Licensing Board only</b>                  |  |
|---|--|
| <b>If application is for a provisional premises licence</b> |  |
| <b>Documents required</b>                                   |  |
| <b>Provisional planning certificate</b>                     |  |
| <b>Operating plan</b>                                       |  |
| <b>Layout plan</b>  |  |

**PRIVACY NOTICE**

The Data Controller of the information being collected is the Aberdeenshire Licensing Board. The information is collated on their behalf by Aberdeenshire Council.

The Data Protection Officer can be contacted at Town House, 34 Low Street, Banff, AB45 1AN. Email: [dataprotection@aberdeenshire.gov.uk](mailto:dataprotection@aberdeenshire.gov.uk)

Your information is being collected to use for the following purposes:

- The processing of your application for a premises licence
- The determination of your application for a premises licence
- The issue of any premises Licence Granted
- Inclusion on the Register of premises Licences available for public inspection
- Ensuring compliance with the terms of your Premises Licence
- The processing of any complaints made in respect of your Premises Licence
- The determination of any complaints made in respect of your Premises Licence

Your information is:

Being collected by Aberdeenshire Council on behalf of the Aberdeenshire Licensing Board

The legal Basis for collecting the information is:

| Personal Data     |   | Special categories of personal data   |   |
|-------------------|---|---|---|
| Legal Obligations | X | Processing is necessary for one of the Conditions in Part 2 of Schedule 1 to the Data Protection Act 2018 referring to substantial public interest in terms of paragraph 6 thereof as processing is necessary for the exercise of a function conferred on a person by an enactment or rule of law | X |

Where the legal basis for processing is either Performance of a contract or Legal obligation, please note the following consequences of failure to provide the information:

*If you fail to provide the information required on the attached application form, Aberdeenshire Council may not be in a position to accept the application as a competent application. This means that your application cannot be processed and will be returned to you.*

Your information will be shared with the following recipients or categories of recipient:

|   |   |
|---|---|
| <ul style="list-style-type: none"><li>• <i>Police Scotland</i></li><li>• <i>Scottish Fire &amp; Rescue Service</i></li><li>• <i>Public Health</i></li><li>• <i>Neighbouring Proprietors</i></li><li>• <i>Some information will also be shared with the Public as part of the online processing of applications for Premises Licences or investigation of complaints/reviews of licences and via the the Register of Premises Licences</i></li></ul> | <ul style="list-style-type: none"><li>• <i>Licensing Standards Officers</i></li><li>• <i>Planning Services</i></li><li>• <i>Building Standards</i></li><li>• <i>Environmental Health</i></li><li>• <i>Community Councils</i></li><li>• <i>The Scottish Government</i></li></ul> |
|---|---|

Your information will be transferred to or stored in the following countries and the following safeguards are in place:

*NOT APPLICABLE*

The retention period for the data is:

- (1) Where an application relates to the grant of a premises licence, variation of premises licence, or transfer of premises licence is refused by the Board, information relating to that application will be retained on the Licensing Register for a period of 5 years from the **date of refusal** and thereafter will be destroyed.
- (2) In any other case, where information relates to a premises licence, that information will be retained on the Licensing Register for a period of 5 years from the date the premises licence **ceases to have effect** and

The following automated decision-making, including profiling, will be undertaken:

Not Applicable

Please note that you have the following rights:

- to withdraw consent at any time, where the legal basis specified above is consent;
- to lodge a complaint with the Information Commissioner's Office (after raising the issue with the Data Protection Officer first);
- to request access to your personal data;
- To object, where the legal basis specified above is:
  - (i) Performance of a Public Task; or
  - (ii) Legitimate Interests.
- to data portability, where the legal basis specified above is:
  - (i) Consent; or
  - (ii) Performance of a contract;
- to request rectification or erasure of your personal data, as so far as the legislation permits.