|  |  |  |  |
| --- | --- | --- | --- |
|  | **SAC New Logo Black fo#629D6** |  | **For Office Use Only**  Ref No....................…............  Existing property …£270...  Fee. New property..£665..  (requires to be advertised)  Date Paid...............................  Receipt No............................ |

|  |
| --- |
| **How your personal information will be used**  It’s up to us to keep your information safe. We will only collect the minimum amount of personal information we need to process your licensing application.  We will only share your information with Police Scotland to ensure your fitness to hold a licence.  We also have a duty to manage public funds, prevent and detect fraud so we may share the information you have provided with relevant bodies as is permitted by law.  To see the full privacy notice please visit our public website <https://www.south-ayrshire.gov.uk/privacy-notices/> |

**CIVIC GOVERNMENT (SCOTLAND) ACT 1982**

**APPLICATION FOR THE GRANT OR RENEWAL OF A LATE HOURS CATERING LICENCE**

|  |
| --- |
| Each question must be answered |

|  |  |
| --- | --- |
| 1. To be completed if a natural person.  (a) Full Name (Block Letters) |  |
| (b) Current Home Address |  |
| (c) Previous Addresses  (If less than five years) |  |
| (d) Age  Date of Birth  Place of Birth  Email Address  Telephone number |  |
| (e) Give name and address of person, company or firm, employing you to trade or state if self-employed. |  |
| (f) Is applicant to carry out day-to-day management of the trade?  If not, give full name, address and date of birth of any employee or agent so engaged.  Give business hours telephone number of applicant or agent | YES/NO |

|  |  |
| --- | --- |
| 2. To be completed if not natural person (e.g. Company or Partnership).  (a) Full Name |  |
| (b) Address of Principal or Registered Office |  |
| (c) Names, private addresses, dates and places of birth of directors, partners or other persons responsible for its management. |  |
| (d) Full Name, address, date and place of birth of employee or agent to carry on day-to-day management of the trade.  Give business hours telephone number of applicant or agent. |  |
| 3. Address of the premises (including description of the type of catering) in which or from which the catering is proposed to take place. |  |
| 4. State  (a) Days/Hours during, and  (b) the period during which it is proposed to trade. | (a) Hours between............a.m. and  (b) |
| 5. State nature of goods/services in which it is proposed to trade. |  |

6. Have you ever been convicted of ANY CRIME OR OFFENCE including contraventions of Byelaws, Road Traffic Offences and Environmental Health/Food Hygiene Offences?

If so, subject to the provisions of the Rehabilitation of Offenders Act, 1974, give particulars below.

|  |  |  |  |
| --- | --- | --- | --- |
| Date | Court | Offence | Sentence |
|  |  |  |  |
|  |  |  |  |
|  |  |  |  |

N.B. All crimes and offences must be declared.

|  |  |
| --- | --- |
| 7. (a) Have you previously held or do you currently hold a licence or permit for late hours catering?  If YES when was the licence/permit granted?  When did/does it expire?  Which authority granted the licence?  (b) Have you applied for and been refused a licence/permit for late hours catering?  If YES when were you refused?  Which authority refused you a licence/permit? | YES/NO  YES/NO |

**Right to Work. Please note that if the applicant is an individual you must produce evidence of right to work in the UK. Please see the attached list of acceptable documents**

**You can lodge your application by email, please send the form to** [**licensing.submissions@south-ayrshire.gov.uk**](mailto:licensing.submissions@south-ayrshire.gov.uk) **with a telephone number and we will contact you to take payment,**

If lodging your application by post, please send your application and cheque to:

**South Ayrshire Council, Licensing Services, County Buildings,**

**Wellington Square, AYR, KA7 1DR**

**Cheques should be made payable to “South Ayrshire Council”**

**If you have any enquiries relating to your application please call the Licensing team on 01292 617682 or Email:** [Licensing@south-ayrshire.gov.uk](mailto:Licensing@south-ayrshire.gov.uk)

**PLEASE NOTE**

You may require planning permission for your proposed activity. You are strongly advised to confirm this directly with South Ayrshire Council’s Planning Service at: **Planning Services, Burns House, Burns Statue Square, Ayr, KA7 1UT** **Tel: 01292 616107 Fax: 01292 616161 Email:** [planning.development@south-ayrshire.gov.uk](mailto:planning.development@south-ayrshire.gov.uk)

I, ..................................................................................................................................................

hereby declare...............................................................................................................................

\*(a) that a Notice has been posted at or near the premises at ....................................................

.........................................................................................................................................

from..................................................................................................................................

containing such information as is required by paragraph 2(3) of Schedule 1 to the Civic Government (Scotland) Act 1982.

or

\*(b) that I have been unable to post a Notice in compliance with the requirements of paragraph 2(2) of Schedule 1 to the Civic Government (Scotland) Act 1982 because I do not have the rights of access which would enable me to do so. I have, however, taken reasonable steps to acquire those rights but have been unable to do so. The steps taken are as follows:-

.........................................................................................................................................

.........................................................................................................................................

.........................................................................................................................................

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When declaration (a) is made, there must be produced in due course a Certificate of Compliance with paragraph 2(2) of Schedule 1 to the Civic Government (Scotland) Act 1982.

Date..................................................…Signature of Applicant.........................................

Fee: Existing Property £270

Fee: New Property £665

**South Ayrshire Council, Licensing Services, County Buildings, Wellington Square, Ayr, KA7 1DR**

\* Delete whichever is not applicable

**APPLICATION FEE IS NOT RETURNABLE ONCE THE APPLICATION IS PROCESSED**

**SOUTH AYRSHIRE COUNCIL**

**Civic Government (Scotland) Act 1982**

**CERTIFICATE OF COMPLIANCE**

I/We.............................................................................................................................................

applicant for a ............................................ Licence, hereby certify that a Notice has been posted at or near the premises at ................................ from................................. to................................

containing such information as is required by paragraph 2(3) of Schedule 1 of the above Act.

\* Where the said notice was removed, obscured or defaced during the above-mentioned period, I took reasonable steps for its protection and replacement as follows (give details and circumstances):-

.....................................................................................................................................................

.....................................................................................................................................................

.....................................................................................................................................................

.....................................................................................................................................................

Date........................................................ Signature.....................................................................

\*Delete if not applicable.

***This Certificate should be returned to the Licensing Section after the notice below has been on display for 21 days.***

Please return by post to the following address:

**South Ayrshire Council, Licensing Services, County Buildings, Wellington Square, AYR, KA7 1DR**

**SOUTH AYRSHIRE COUNCIL**

**Civic Government (Scotland) Act 1982**

.................................................. Licence

NOTICE IS HEREBY GIVEN that the application has been made on ..........................................

to South Ayrshire Council for a ....................................................................................................

Licence is respect of premises at ..................................................................................................

by ................................................................................................................................................

Name:-.........................................................................................................................................

Address/Registered Office:-..........................................................................................................

.....................................................................................................................................................

Directors names & Addresses:-.....................................................................................................

.....................................................................................................................................................

Day-to-Day Manager:- .................................................................................................................

Address........................................................................................................................................

Any objections and representations in relation to the application may be made to the Council per the Head of Regulatory Services, Licensing Section, County Buildings, Wellington Square, Ayr, KA7 1DR generally within 28 days of the above-mentioned date. Objections and representations should be made in accordance with the following provisions, namely:-

(1) Any objection or representation relating to an application for the grant or renewal of a Licence shall be entertained by the Licensing Authority if, but only if, the objection or representation -

(a) is in writing;

(b) specifies the grounds of the objection or, as the case may be, the nature of the representation;

(c) specifies the name and address of the person making it;

(d) is signed by him/her on his/her behalf;

(e) was made to them within 28 days of whichever is the later or, as the case may be, latest of the following dates:-

(i) where public notice of the application was given in a newspaper, the date when it was first so given;

(ii) where South Ayrshire Council have required the applicant to display the Notice again from a specified date, that date;

(iii) in any other case, the date when the application was made to them.

(2) Notwithstanding (1)(e) above, it shall be competent for a licensing authority to entertain an objection or representation received by them before they take a final decision upon the application to which it relates if they are satisfied that there is sufficient reason why it was not made in the time required.

(3) An objection or representation shall be made for the purposes of (1) above if it is delivered by hand within the time there specified to the licensing authority or posted (by registered or recorded delivery post) so that in that normal course of post, it might be expected to be delivered to them within that time.

**This Notice should be placed in the window for 21 days from date of application**

SOUTH AYRSHIRE COUNCIL

Civic Government (Scotland) Act 1982

Late Hours Catering Guidelines

The following guidelines have been adopted

All new applications for late hours catering should be advertised in the press to allow objections to be submitted.

For commercial (town centre) zones, to operate with a presumption in favour of new applications, subject to consideration of any representations/objections.

For areas out-with the commercial zones, to operate with a presumption against new applications, subject to consideration of representations.

To continue existing licence hours for premises out-with commercial zones subject to consideration of representations.

Hot food takeaway premises within commercial areas should close no later than one hour after entertainment premises.

In appropriate circumstances, having regard to premises and location, a condition should be applied requiring the Licence holder to appoint and employ door stewards.

**Head of Regulatory Services**

**County Buildings**

**Licensing Section**

**Wellington Square**

**Ayr**

**KA7 1DR**

## Lists of acceptable documents for right to a licence checks

The lists of documents are based on those prescribed to show evidence of a right to work.

**List A – acceptable documents to establish a continuous statutory excuse**

1. A passport (current or expired) showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK.

2. A passport or passport card (current or expired) showing that the holder is a national of the Republic of Ireland.

3. A current document issued by the Home Office to a family member of an EEA or Swiss citizen, and which indicates that the holder is permitted to stay in the United Kingdom indefinitely.

4. A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted unlimited leave to enter or remain under Appendix EU to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules.

5. A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK. 37

6. A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.

7. A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK, together with an official document giving the person’s permanent National Insurance number and their name issued by a government agency or a previous employer.

8. A birth or adoption certificate issued in the UK, together with an official document giving the person’s permanent National Insurance number and their name issued by a government agency or a previous employer.

9. A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland, together with an official document giving the person’s permanent National Insurance number and their name issued by a government agency or a previous employer.

10.A certificate of registration or naturalisation as a British citizen, together with an official document giving the person’s permanent National Insurance number and their name issued by a government agency or a previous employer.

**List B Group 1 – documents where a time-limited statutory excuse lasts until the expiry date of leave**

1. A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to do the type of work in question.

2. A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to do the work in question.

3. A current document issued by the Home Office to a family member of an EEA or Swiss citizen, and which indicates that the holder is permitted to stay in the United Kingdom for a time limited period and to do the type of work in question.

4. A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has been granted limited leave to enter or remain under Appendix EU to the Jersey Immigration Rules, Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 or Appendix EU to the Isle of Man Immigration Rules.

5. A document issued by the Bailiwick of Jersey or the Bailiwick of Guernsey, which has been verified as valid by the Home Office Employer Checking Service, showing that the holder has made an application for leave to enter or remain under Appendix EU to the Jersey Immigration Rules or Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008, on or before 30 June 2021. Entry to be removed - refer to List B, Group 2, no. 2

6. A frontier worker permit issued under regulation 8 of the Citizens' Rights (Frontier Workers) (EU Exit) Regulations 2020. 38 7. A current Immigration Status Document containing a photograph issued by the Home Office to the holder with a valid endorsement indicating that the named person may stay in the UK, and is allowed to do the type of work in question, together with an official document giving the person’s permanent National Insurance number and their name issued by a government agency or a previous employer.

**List B Group 2 – documents where a time-limited statutory excuse lasts for six months**

1. A document issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules (known as the EU Settlement Scheme) on or before 30 June 2021 together with a Positive Verification Notice from the Home Office Employer Checking Service.

2. A document issued by the Bailiwick of Jersey, the Bailiwick of Guernsey or the Isle of Man showing that the holder has made an application for leave to enter or remain under Appendix EU to the Jersey Immigration Rules or Appendix EU to the Immigration (Bailiwick of Guernsey) Rules 2008 together with a Positive Verification Notice from the Home Office Employer Checking Service. Entry amended.

3. An Application Registration Card issued by the Home Office stating that the holder is permitted to take the employment in question, together with a Positive Verification Notice from the Home Office Employer Checking Service.

4. A Positive Verification Notice issued by the Home Office Employer Checking Service to the employer or prospective employer, which indicates that the named person may stay in the UK and is permitted to do the work in question.

5. A Certificate of Application (digital or non-digital) issued by the Home Office showing that the holder has made an application for leave to enter or remain under Appendix EU to the immigration rules (known as the EU Settlement Scheme), on or after 1 July 2021, together with a Positive Verification Notice from the Home