



CCW BUSINESS LAWYERS

# Licensing Unit



[www.ccwlegal.co.uk](http://www.ccwlegal.co.uk)

## introduction

*Providing licensees with clear and practical advice as well as the legal resources required.*

Businesses and individuals who sell alcohol must have their premises and key individuals licensed. Rules and regulations have recently been tightened in the form of the Licensing (Scotland) Act 2005. The new Act also includes the requirement to have in place an operating plan. In addition, enforcement of the new regime has been stepped up along with greater powers for local authorities.

Increasingly, the prospects for the successful grant of a premises licence come to depend on the skill, experience and resources of the party preparing the operating plan, their advisers and their ability to anticipate the practical enforcement of the regulations.

CCW's Licensing Unit is able to provide licensees with clear and practical advice as well as the legal resources required to comply with licensing regulations. Working closely with you, we can help deal with all aspects of the alcohol licensing system.

## how we can help you

Most licensees will encounter licensing regulations when they:

- alter existing licensed premises
- purchase premises where the licence requires to be transferred or granted for the first time
- substitute a premises manager
- require to produce a new operating plan
- when they require a personal licence to be regranted.

In all cases, you need to plan carefully and consider various licensing issues, including:

- whether your proposed operating plan complies with national policy and local licensing board policy
- the attitude of the local licensing board as to what is and what is not acceptable in the particular board area
- the provision of training for personal licence holders under the 2005 Act
- navigating the complexities of the 2005 Act with its various time limits and other traps for the unwary
- The solicitors in our Licensing Unit, allied with our external professional partners, can help you address such issues. We explain in the next sections the detailed services we offer.



## services we offer

### Applications

We provide a comprehensive service on all legal matters concerning alcohol licensing applications.

We can provide advice on how best to word your operating plan as well as the complexities and time limits surrounding applications for premises licences, personal licences and applications to vary or transfer those licences to or from third parties.



### Representation

The local licensing board is central to the licensing system. We can arrange to attend licensing board sittings on your behalf to provide skilled advocacy in any matter relating to an application for a licence or a proposal by a board to suspend or revoke a licence.

### Appeals

The Act allows various parties to appeal to the sheriff court against the decisions of a licensing board. We can advise on the prospects of success at any appeal and provide advocacy in the event of an appeal being deemed necessary or requiring to be defended.



## about us

CCW LLP is a Scottish-based law firm with offices in Edinburgh, Dunfermline and Salisbury. We offer specialist legal advice to industry and business. Within our firm members of the CCW LLP team specialise in commercial, corporate, property, contract and employment law.

We deal with a broad range of property work, ranging from straightforward property matters to complex transactions that involve a wide range of legal and commercial skills.

The solicitors in CCW's Licensing Unit are drawn from different practice areas in our firm to ensure we have the

necessary experience and resources to analyse and solve the complex legal issues that surround business and planning and environmental regulatory issues.

Working closely with our preferred external advisers (principally specialist licensing advisors), we strive to deliver to our clients a comprehensive, commercially focused service on all aspects of alcohol licensing.

## more information

*This brochure gives a brief outline only of our services.*

For a more detailed guide to our legal services on planning and environmental regulatory issues, please contact the following:

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## legal notice

Whilst we hope you find the contents of this brochure interesting and informative, we wish to make clear that it provides an overview only of our services. It is not meant to be, and should not be relied upon as giving, legal advice. Legal or other professional advice should be taken in specific cases.

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