



Licensing and COVID-19 (Coronavirus)

Guidance and Frequently Asked Questions (FAQs)

Important - read this first	
Effective Date:	Monday 21 December 2020
<p>The First Minister announced changes to the Coronavirus Restriction Levels on Saturday 19 December 2020. Most of Scotland is moving to "Level 4" restrictions at 00.01 on Saturday 26 December 2020 (Boxing Day). This means that some of the guidance here will be different:</p> <ul style="list-style-type: none">- up to Friday 25 December 2020 (Christmas Day)- on and after Saturday 26 December 2020 (Boxing Day). <p>Where this happens, we give <u>two</u> sets of guidance.</p> <p>This change is set out in new Regulations which will be laid in the Scottish Parliament on 21 December 2020. These set the Levels for different parts of Scotland, and these list islands which are in Level 3. This list does <u>not</u> include Arran or Cumbrae, so these islands go onto Level 4 with the rest of North Ayrshire.</p>	
<p>The information is correct as at the "Effective Date" shown above, and it is only valid for <u>North Ayrshire</u>, and not the rest of Scotland.</p>	
<p>This guidance is for current licence holders and anyone planning to apply for a new Licence. It summarises the Coronavirus restrictions and explains how we have changed our Licensing services to help minimise the disruption caused to licence holders by Coronavirus.</p>	

To make these FAQs useful to as many people as possible, the advice is general and may not cover your exact situation. If the answer you want is not here, or you want more specific advice, email us at:

licensing@north-ayrshire.gov.uk

If you want advice about social distancing and other Coronavirus precautions you should contact the Council's "Protective Services" Department (this is different from the Licensing Section). Their email address is:

ProtectiveServices@north-ayrshire.gov.uk

You should also check the Scottish Government guidance - there is a lot of guidance for a wide range of activities and it is reviewed regularly. The Scottish Government website is:

<https://www.gov.scot/coronavirus-covid-19>

How to use this document

These FAQs are in Parts. Part 1 ("Information for all Licences") applies to everyone who uses our Licensing services. Read Part 1 and then go to the Part which applies to you.

Parts:

1. Information for all Licences
2. Drivers of Taxi and Private Hire Cars ("Taxi Driver's Licence")
3. Operators of Taxis and Private Hire Cars ("Taxi Licence" or "Private Hire Car Licence")
4. Alcohol: Premises Licences
5. Alcohol: Personal Licences
6. Alcohol: Occasional Licence
7. Parades and Processions
8. Tattooing, Skin Piercing, or other 'Close Contact Services'
9. Fairgrounds and Public Entertainment
10. Markets
11. Street Traders and Pedlars
12. Take-Away food shops
13. Window Cleaners

14. Caravans
15. Landlords and Houses in Multiple Occupation (HMOs)
16. Gambling
17. Animals

1. Information for all Licences

Questions:

- 1.1. "What are the 'Emergency Period' and the 'Levels'?"
- 1.2. "What Level is North Ayrshire in?"
- 1.3. "Is the Licensing Office open?"
- 1.4. "Are there any Committee and Board Meetings?"
- 1.5. "How do I apply for a Licence?"
- 1.6. "How do I pay the Licence fee?"
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- 1.8. "Which Licences stay in force if I apply for renewal in time?"
- 1.9. "Which Licences DON'T stay in force if I apply for renewal?"
- 1.10. "I cannot operate because of the Coronavirus rules. Can I get a refund, reduction or credit of the Licence Fee?"
- 1.11. "What should I do to keep the public safe?"
- 1.12. "Can I have outdoor events?"
- 1.13. "What is a 'Listed Business' ?"

1.1. "What are the 'Emergency Period' and the 'Levels'?"

These FAQs often refer to the "Emergency Period". We use this to mean the period:

- which started on Thursday 26 March 2020, and
- will continue until the special legislation passed by the Scottish Parliament expires.

This special legislation is:

- The Coronavirus (Scotland) Act 2020, and
- The Health Protection (Coronavirus) (Restrictions and Requirements) (Local Levels) (Scotland) Regulations 2020 No. 344

Both of these expire on 31 March 2021 and both are on a free Government Internet website:

<https://www.legislation.gov.uk/asp/2020/7/contents>

<https://www.legislation.gov.uk/ssi/2020/344/contents/made>

In these FAQs, these Regulations are called the "Local Levels Regulations".

The 'lockdown' and 'social distancing' rules for businesses and the public during the Emergency are set by the Local Levels Regulations, which applied from 06.00 on Monday 2 November 2020.

Each of the 32 Councils in Scotland is placed in one of 5 Levels. These are numbered from 0 to 4, where Level 0 is the least restrictive and Level 4 is the most restrictive. The detailed rules for each of the 5 Levels are set out in the Schedules at the end of the Local Levels Regulations.

The Scottish Government review the Levels regularly, and a Council might move up or down.

1.2. "What Level is North Ayrshire in?"

The First Minister announced changes on Saturday 19 December 2020. One of these is that North Ayrshire and the rest of mainland Scotland will move from "Level 3" restrictions to "Level 4" at 00.01 on Saturday 26 December 2020 (Boxing Day). This means that some of the guidance here will be different:

- up to Friday 25 December 2020 (Christmas Day) - "Level 3" rules
- on and after Saturday 26 December 2020 (Boxing Day) - "Level 4" rules

Where this happens, we give two sets of guidance.

At the Effective Date of these FAQs, and until 00.01 a.m. on Saturday 26 December 2020 (Boxing Day) North Ayrshire is in "Level 3". This means that North Ayrshire's rules are in "Local Levels Regulations", Schedule 4, so when these FAQs refer to "Paragraphs", they mean the Paragraphs in Schedule 4. But on Saturday 26 December 2020 (Boxing Day) North Ayrshire will move to "Level 4", so when these FAQs refer to "Paragraphs", they mean the Paragraphs in Schedule 5.

1.3. "Is the Licensing Office open?"

We are not currently offering appointments at our Service Desk in Council Headquarters, Cunninghame House, Irvine. All the licensing staff are working from home.

If you would normally be giving us documents on paper (such as licence application forms, Driving Licences, and 'right-to-work' documents like Passports), you should scan these onto computer and send them to us as email attachments.

You should send your applications by email to:

naclicensingapplications@north-ayrshire.gov.uk

If you have any general queries about licensing, please send those to our general email address:

Licensing@north-ayrshire.gov.uk

1.4. "Are there any Committee and Board Meetings?"

When the lockdown started all planned meetings of the Licensing Committee and the Licensing Board were cancelled, although we have now re-started meetings using video-conferencing. The meeting Schedules are

- Licensing Committee:

https://north-ayrshire.cmis.uk.com/north-ayrshire/-ayrshire.cmis.uk.com/north-ayrshire/CommitteesMeetings/Committees/tabid/62/ctl/ViewCMIS_CommitteeDetails/mid/381/id/121/Default.aspx

- the Licensing Board:

<https://www.north-ayrshire.gov.uk/business/licences-and-permits/food-alcohol-gambling/licences/licensing-board.aspx>

Councils and Boards have special rules called "Schemes of Delegation" which mean that sometimes decisions can be taken by officers of the Committee or Board without the need for a meeting.

1.5. "How do I apply for a Licence?"

You can find electronic copies of our applications elsewhere on this website.

Your application should be signed before it is scanned onto computer.

Important
Make sure you give us an email address we can use to contact you

Send scans of any necessary documentation - images of documents must be clear and legible.

Send your application form by email to:

naclicensingapplications@north-ayrshire.gov.uk

See the next FAQ:

"How do I pay the Licence fee?"

Please be aware that it may take some time to review and process your application.

There are time-limits for us to process some (not all) types of Licence. The Council needs to make a decision to grant, renew or refuse the Licence within a time (often 12 months, but it can be longer depending on the kind of Licence).

for example, the period for a Taxi Driver's Licence, and any other Licence under the Civic Government (Scotland) Act 1982 is now 12 months - it was 9 months before Coronavirus, and was extended by emergency legislation made by the Scottish Parliament.

There are no time limits for alcohol licences.

1.6. "How do I pay the Licence fee?"

You cannot go to Council offices to pay by cash and you cannot post the Application with cash or a cheque.

You have a choice:

- (a) BACS Transfer
- (b) Telephone Payment

(a) BACS Transfer

You can pay by a BACS transfer ("Bankers Automated Clearing Service").

You will need these details:

Payee:	North Ayrshire Council
Bank:	Clydesdale Bank, 151 High Street, Irvine
Bank Account No:	20443773
Sort Code:	82 65 22
Customer Ref / Account id no.:	10253003000060153.

If there is enough room on the form, please add information that will help us tie your payment to your case, like individual premises details or a Licence number.

Important
It is very important that you do this and that you tell us when you have sent a BACS transfer, so that we can look out for your payment and mark up our records.

When you send a BACS payment please send the remittance advice or alternative notification to:

licensing@north-ayrshire.gov.uk

(b) Telephone Payment

If you are unable to make payment by BACS, you can pay by debit or credit card over the telephone.

If you want to do this, tell us by email to:

licensing@north-ayrshire.gov.uk

Please include a contact telephone number and an indication of the most suitable time(s) for us to contact you. A member of the Licensing team will then call you to take payment.

We use a special phone system so your phone might say 'caller identity withheld'.

1.7. "What is the rule for RENEWAL of Licences under the Civic Government (Scotland) Act 1982 (Not Alcohol Licences)?"

The Civic Government (Scotland) Act 1982 is the Law that covers Taxis, Private Hire Cars, Street Traders, Market Operators and Public Entertainment. **Different legislation covers alcohol licences.**

At the start of the "Emergency Period" the Council extended all Licences under **the 1982 Act** to 31 July 2020. This has now been replaced by the following:

Licences due to expire between 30th March and 31st July 2020 have been granted for a 6-month extension period. The extension is modelled on the extension scheme currently in place for MOTs. This means that your licence expiry date will be extended by 6 months from the date it was due for renewal. For example, a licence due for renewal on 30th March 2020 will now be due for renewal by 30th September and a licence due for renewal on 30th April 2020 should be renewed by 30th October 2020.

Licences due for renewal from August 2020 onwards are not subject to the 6-month extension period and applications for renewal should be lodged well before the expiry date.

When applying for renewal of your licence, please don't leave it to the last few days left on your Licence.

IMPORTANT

The renewal rules are different depending on what Law applies to your Licence:
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- In some cases, as long as we got your renewal application before the current Licence expired, the current Licence stays in force until the Council determines the new Application;

but

- In other cases, you cannot operate beyond expiry, even if you have applied before the expiry date. You will have to stop your operation, and you cannot re-start until the Council grants the renewal.

Read the next two FAQs for more information.

1.8. "Which Licences stay in force if I apply for renewal in time?"

- Licences under the Civic Government (Scotland) Act 1982

Examples are Taxi Driver's Licences, Taxi Licences ("Operator's Licences") and many other things: as soon as you apply for renewal, and you applied before the current Licence expired, the existing licence is continued, so you can keep driving your taxi or doing what your Licence covers; (there is a special rule for "Temporary Licences": these expire after 6 weeks, but if you apply in that time for a 'full' Licence then the "Temporary Licence" stays in force):

- Licences for "Houses in Multiple Occupation".

1.9. "Which Licences DON'T stay in force if I apply for renewal?"

Licences under other legislation, for example:

- Pet Animals Act 1951 (pet shops)
- Caravan Sites and Control of Development Act 1960
- Animal Boarding Establishments Act 1963 (cats and dogs)
- Riding Establishments Acts 1964 and 1970 (horses)

The usual rule is 'there is NO automatic continuation'

This means that you should aim to apply for renewal at least 2 months before your licence expires, leaving enough time to let the Council **both**

- process your application, and
- grant the renewed Licence.

before the existing Licence expires.

If you don't apply for renewal in good time to allow us to process and grant the renewed Licence, it is very likely that you will have to apply for a new Licence, and you will not have a Licence (and not be able to work on it) for months.

1.10. "I cannot operate because of the Coronavirus rules. Can I get a refund, reduction or credit of the Licence Fee?"

No. If you have a Licence but you cannot operate your business, you cannot:

- get a refund of the fee, or
- ask for a partial refund of the fee
- ask for it to be held in credit towards a fee for a later application.

This because the fee covered the work to deal with your Application, and you would have had to pay that even if the Application had been refused altogether or if the Licence you were granted was for less than you asked for (such as shorter hours or a smaller area).

1.11. "What should I do to keep the public safe?"

You should follow Scottish Government Guidance about 'social distancing' and other precautions.

Contact the Council's Protective Services Department for advice:

ProtectiveServices@north-ayrshire.gov.uk

On and after Saturday 26 December 2020 (Boxing Day) - North Ayrshire is in "Level 4", sit-in food and drink premises must close altogether (they can still sell take-away food and drink).

Until then, either sit-in food and drink premises must close altogether, or they might only stay open for limited hours: see the FAQs in Part 4 on this.

If your Premises can open, see the FAQ in Part 4

"What Contact-Tracing records do I need?"

You should think about

- how can you lay out your Premises so that the public can maintain social distancing
- in sit-in food and drink premises - where will the tables and chairs be?
- in a market - where will the stalls and vehicles be?
- are access routes wide enough?
- do you need one-way routes?
- are there pinch points like doorways where people will be close together?

- do you need stewards to ensure that the public keep social distancing and wear face coverings when they need to?
- are there enough hand sanitising stations for public use?
- what is the guidance about using face coverings?

You should avoid situations, both inside and outside your Premises, where there is likely to be

- queueing
- customers crowded into a small area where they cannot maintain social distancing (are there areas of your Premises which might attract a lot of people to a small area, like the service area in a cafe or particular stalls in a market?)

IMPORTANT

If the Licensing Committee or Licensing Board think that you have not followed the Guidance and that public safety has been risked, they might consider revoking or suspending your Licence.

1.12. "Can I have outdoor events?"

Probably not, although this depends on the particular event. Most public Gatherings outdoors are prohibited in both "Level 3" and "Level 4" (Local Levels Regulations; for "Level 3" - Schedule 4, Paragraph 11; for "Level 4" - Schedule 5, Paragraph 12).

There are exceptions, which means that some public Gatherings outdoors are allowed.

“Gathering” means a situation where two or more persons, who are not members of the same Household, are present together in the same place in order—

- (a) to engage in any form of social interaction with each other, or
- (b) to undertake any other activity with each other,

Read the Scottish Government's "Events Sector Guidance":

<https://www.gov.scot/publications/coronavirus-covid-19-events-sector-guidance>

There is different guidance for different sorts of events:

- Outdoor seated live events
- Outdoor open spaces live events
- Outdoor focussed standing live events

If your event falls under the category of "Outdoor focussed standing event" it might not be permitted at all.

This applies to:

"Events which involve spectators standing in a more limited space than open spaces, with clear focal points(s). This could include standing around a stage or where attendees move around different areas, for example different stalls / exhibits. Examples would include music concerts, fireworks displays and horse racing. Attendees must be able to enter and exit the event at fixed points only so numbers can be controlled and contact details collected. Event organisers should ensure that attendees remain dispersed and do not congregate in certain areas (such as toilets, entry/exit and refreshment points) which would make physical distancing difficult."

1.13. "What is a 'Listed Business' ?"

This is a business included in a list in the Local Levels Regulations. All 'Listed Businesses' must close (there are a few times when 'Listed Businesses' can stay open, but these do not cover ordinary trading).

The Lists are different for "Level 3" and "Level 4". This means that some businesses which were allowed to open up to Friday 25 December 2020 (Christmas Day) have to close on and after Saturday 26 December 2020 (Boxing Day).

In this table, "x" means "the business must close":

	<i>Level 3</i>	<i>Level 4</i>
<i>(a) a cinema</i>	x	x
<i>(b) a nightclub, dance hall or discotheque</i>	x	x
<i>(c) a concert hall</i>	x	x
<i>(d) any other venue which—</i> <i>(i) normally opens at night,</i> <i>(ii) has a dance floor or other space for dancing or spectating by members of the public (and for these purposes, members of staff of the venue in question are to be considered members of the public) and</i> <i>(iii) provides music, whether live or recorded,</i>	x	x
<i>(e) a "Sexual Entertainment Venue"</i>	x	x
<i>(f) an indoor or outdoor theatre</i>	x	x
<i>(g) a comedy club</i>	x	x
<i>(h) a museum or gallery</i>		x
<i>(i) a soft play centre</i>	x	x
<i>(j) a sports stadium</i>	x	x
<i>(k) a conference or exhibition centre</i>	x	x
<i>(l) a snooker or pool hall</i>	x	x
<i>(m) a bowling alley</i>	x	x
<i>(n) a casino</i>	x	x
<i>(o) a betting shop</i>		x

(p) a bingo hall	x	x
(q) a funfair	x	x
(r) an amusement arcade	x	x
(s) premises which provide a "Close Contact Service", [this only needs to close in Level 4; elsewhere there are prohibitions on MOBILE Close Contact Services]		x
(t) a skating rink		x
(u) an indoor fitness studio, gym, swimming pool or other indoor leisure centre or facility		x

There are different Lists for the other Levels, so things might be allowed in one part of Scotland but prohibited in another.

There are special rules for Tattooing, Skin Piercing, or other 'Close Contact Services'. See the FAQs in Part 8:

"Tattooing, Skin Piercing, or other 'Close Contact Services' "

2. Drivers of Taxi and Private Hire Cars ("Taxi Driver's Licence")

IMPORTANT
<p>There are two kinds of Licence for Taxis and Private Hire Cars.</p> <p>The rules are different, so the FAQs are different:</p> <ul style="list-style-type: none"> - <u>Drivers</u> have Licences with numbers like "TDL/123" or "PHCDL/123" - FAQs in <u>Part 2</u> - <u>Operators</u> have Licences with numbers like "TL/123" or "PHCL/123" - FAQs in <u>Part 3</u>

Questions:

"What I should I do to keep myself and my passengers safe?"

"Do I need to wear a face covering?"

"Can I refuse to carry a passenger who is not wearing a face covering?"

"I can't get a Licence badge because the Licensing Office is closed. What happens?"

"What I should I do to keep myself and my passengers safe?"

If you are an **operator**, see also:

- the FAQ in Part 1 above ("What should I do to keep the public safe?").
- the FAQ in Part 3 below ("I have fitted a screen to my car, or plan to do so. What do I need to do?")

Advice for **drivers**:

- Passengers should be advised to wear a face covering (but you can't enforce this - see the FAQ below: "Can I refuse to carry a passenger who is not wearing a face covering?")
- People with a new persistent cough or high temperature should stay at home
- Do not drive your vehicle if you have the symptoms
- Where possible, ask all passengers to sit in the back of your vehicle
- Keep your vehicle clean to reduce the impact of the virus
- Regularly clean surfaces, such as card payment devices, steering wheels, handbrake, and door handles, with normal cleaning products. (As a minimum: at the beginning, middle and end of a shift)
- Carry a box of tissues and use tissues to catch coughs and sneezes
- Dispose of used tissues in the bin as soon as possible
- Wash hands frequently with soap and water (you can keep a bottle of water and a bar of soap in your vehicle) or use a sanitizer gel - do this for at least 20 seconds. Sanitizer gel should be a minimum 60% alcohol.

"Do I need to wear a face covering?"

Yes. You must wear a face covering, unless

- your vehicle has a screen, or
- you have a valid legal excuse for not wearing one - having an opinion that Coronavirus does not exist, or that face coverings are unnecessary are not valid legal excuses.

If you do not wear a face covering when you should:

- the Police can charge you or give you a Fixed Penalty fine
- the Council might suspend or revoke your Licence

For more information, see the Scottish Government website:

"Can I refuse to carry a passenger who is not wearing a face covering?"

No. Some medical conditions allow people to not wear a face covering, and the legislation allows other excuses (such as: children under 5 do not need a face covering - the age is 5 in Scotland - in other parts of the U.K. it might be different).

Even if a person has no good excuse for not wearing a face covering, that is a breach of the criminal law, so it will be enforced by the Police, not by drivers.

Usually, if a passenger gets in your car without a face covering, all you should do is say that the Law says he/she need a face covering unless there is a good excuse, like a medical condition. It's the same as if the passenger didn't follow the driver's advice to wear a seat-belt - the passenger might be breaking the criminal Law (which also allows for good reasons for not wearing a seat-belt) but the driver is not expected to enforce the Law.

If the passenger says that he/she does have a good excuse, you must accept that. You must not ask the passenger to say what it is or to prove it.

"I can't get a Licence badge because the Licensing Office is closed. What happens?"

Drivers usually need to wear badges, but during the Emergency Period the Council will not apply this rule to you if the reason you could not get a badge was because the Licensing Office was closed. The Council will contact you when your badge is available.

3. Operators of Taxis and Private Hire Cars ("Taxi Licence" or "Private Hire Car Licence")

IMPORTANT

There are two kinds of Licence for Taxis and Private Hire Cars.

The rules are different, so the FAQs are different:

- **Drivers** have Licences with numbers like "TDL/123" or "PHCDL/123" - FAQs in **Part 2**
- **Operators** have Licences with numbers like "TL/123" or "PHCL/123" - FAQs in **Part 3**

Questions:

"My licence has an 'Expiry Date' soon, but the Licensing Office is closed. What happens?"

"Do I need to get my car inspected at the Council's garage at Kilwinning?"

"I want to change the car on my Licence. What do I need to do?"

"I have fitted a screen to my car, or plan to do so. What do I need to do?"

"My licence has an 'Expiry Date' soon, but the Licensing Office is closed. What happens?"

"Taxi Licences" and "Private Hire Car Licences" due to expire between 30th March and 31st July 2020 have been granted a 6-month extension period. The extension is modelled on the extension scheme currently in place for MOTs. This means that your licence expiry date will be extended by 6 months from the date it was due for renewal. For example, a licence due for renewal on 30th March 2020 will now be due for renewal by 30th September and a licence due for renewal on 30th April 2020 should be renewed by 30th October 2020.

Licences due for renewal from August 2020 onwards are not subject to the 6-month extension period, and applications for renewal should be lodged well before the expiry date.

See the FAQ in Part 1 above:

"What is the rule for RENEWAL of Licences under the Civic Government (Scotland) Act 1982 (Not Alcohol Licences)?"

"Do I need to get my car inspected at the Council's garage at Kilwinning?"

This depends on why you want the test. You might want a test because

- (a) you don't have a Licence
- (b) you have a Licence, but you want to substitute your current car for a new car
- (c) you have a licence, and the car is due its inspection because of the Licence Conditions - Taxis and Private Hire Cars need to be inspected at the Council garage in Kilwinning every 12 months (or, if the car is 5 years old or older, every 6 months).

In cases (a) and (b), you should email us:

licensing@north-ayrshire.gov.uk

In case (c):

The advice depends on the age of the vehicle. This is counted from the date of First Registration.

For vehicles younger than 5 years:

There is a special rule during the "Emergency Period" (explained in Part 1.1). You can still operate the car so long as it has a current or extended M.O.T. certificate. If the M.O.T. certificate expires, you cannot use the car after that extension without getting a pass certificate from the Council garage.

For vehicles 5 years or older:

The Council is likely to require you to get your vehicle tested at the Council garage, and you should email us.

"I want to change the car on my Licence. What do I need to do?"

<p style="text-align: center;">IMPORTANT</p> <p>DO NOT BUY A NEW CAR UNTIL YOU HAVE CHECKED THAT IT MATCHES THE COUNCIL'S "VEHICLE SPECIFICATION POLICY". THIS IS ON THE COUNCIL'S INTERNET SITE AT:</p> <p style="text-align: center;"><u>https://www.north-ayrshire.gov.uk/business/licences-and-permits/taxi-licences/taxi-pvt-hire-car-operator-licence.aspx</u></p> <p>The Vehicle Specification Policy is under the heading "Vehicle specification and inspection standards".</p> <p>The new car MUST:</p> <ul style="list-style-type: none">- be under 8 years old (counted from the date of First Registration)- be Wheelchair Accessible- have a winch to help loading and unloading wheelchairs with passengers in them

At the moment, the Council garage at Kilwinning is still operating, so the procedure to substitute the vehicle is much the same as before the "Emergency Period":

1. Use the usual application form. This is on our website page "Taxi/private hire car operator licence":

<https://www.north-ayrshire.gov.uk/business/licences-and-permits/taxi-licences/taxi-pvt-hire-car-operator-licence.aspx>

Download the form under the heading "Substitute a vehicle";

2. Complete this, scan it onto computer and email it with the V5 Registration Document;

3. When we receive your application we will contact you to take a telephone payment from you.

"I have fitted a screen to my car, or plan to do so. What do I need to do?"

You should do two things:

1. Contact your insurers

Say what you have done or plan to do. Ask your insurers to say that they agree. The reason you want this is that your insurance policy probably says that you cannot make unauthorised changes to the car, so you need the insurer's agreement - otherwise the policy might be cancelled.

It is a good idea to ask the insurers to send you their agreement **in writing**.

2. Email the Council

If the insurers agree, complete the email in the box below and send it to us at:

licensing@north-ayrshire.gov.uk

The email is:

To North Ayrshire Council
licensing@north-ayrshire.gov.uk
Licence-Holder's name [add your name]
Licence Number [add your Licence Number]
Registration number of vehicle [add Registration no.]
I have fitted a screen to the above vehicle.
I confirm that:
- the screen has been properly and securely fitted so that it is not a danger to any occupants in the vehicle,
- I have informed my insurer, and
- the insurance for the vehicle remains in place.

When we have this email we will record this as an authorised 'material change' to your Licence.

You do not need to get the car checked at the Council garage.

We have sent this email/letter to all operators:

Dear Operator

We are responding to inquiries from several operators.

This will be reviewed later, but for the moment the Council's position is:

1. If an operator has fitted or wants to fit a protective screen to the licensed car, the operator **must** email the Council saying that he/she has done or plans to do this. You must confirm in the email that the screen has been safely and securely fitted so that it is not a danger to occupants and that you have advised your insurer who has confirmed that your insurance is still in place. When we have that email we will change this on the Licence.
2. The fittings do not have to be tested at the Council Garage;

The reasons for this are:

1. there are no standards set by the Scottish Government as to the use of screens in Taxis or Private Hire Cars to prevent or limit the transmission of Coronavirus;
2. no screen in a Taxi or Private Hire Car licensed by North Ayrshire Council has been tested by the North Ayrshire Council Garage;
3. the Council is not able to say that any screen is approved or certified by the Council, or is likely to prevent or limit the transmission of the virus;
4. It is the responsibility of vehicle operators to contact their insurers to confirm that the vehicle's insurance is not affected by fitting a screen;
5. It is the responsibility of vehicle operators to ensure that any screen fitted to the vehicle after the vehicle's manufacture is securely fitted and is not likely to be dislodged in an accident;

6. It is the responsibility of the operator to ensure that the changes made to any car are properly authorised. Making unauthorised changes to a car means

- the Police could charge
- the Council might revoke the Licence or refuse to renew it

7. It is likely that the operator's insurance policy will say that the operator cannot make changes to the car without the prior consent of the insurer. If the operator makes an unauthorised change without consent and the insurance becomes invalid, this means

- the Police could charge with operating without insurance
- the Council might revoke the Licence or refuse to renew it;

8. Drivers should follow the health guidance made by the Scottish Government;

9. A 'material change' to a licensed vehicle needs the consent of the Licensing Authority (Civic Government (Scotland) Act 1982, Schedule 1, Paragraph 9(2)). It is a criminal offence to make a 'material change' without the Licensing Authority's consent (1982 Act, Section 7(5)(b)). This carries a fine up to £1,000.

There is a difference between legal rules and health guidance. Both are issued by the U.K. and Scottish Governments. Councils cannot change them.

1. Legal Rules

Under the rules applying to both drivers and passengers, the starting-point is the stay-at-home rule. There are exceptions, for example to allow a person to leave home

- to get food, medicine and other basic necessities
- to travel to work if the person cannot work remotely

It is not illegal to drive a taxi or private hire car. The legislation which closed pubs and many businesses deals with premises, not vehicles. It does not outlaw hire cars. Many people rely on hire cars to leave home to go to shops or to get to work.

2. Health Guidance

The Governments have issued Health Guidance aimed at minimising the spread of the virus. This is at:

<https://www.gov.scot/coronavirus-covid-19>

These are recommendations about what people should do. They are not legal requirements. It is not illegal to drive a Taxi or PHC, or for the Council to license cars and drivers. It is up to the individual drivers or passengers to decide what they are going to do. Since there is no Law telling them what they can and cannot do, no-one can make them follow the Guidance.

We have summarised the Rules and Guidance in the FAQs on our website "Business & Licensing - Coronavirus (COVID-19) updates" at:

<https://www.north-ayrshire.gov.uk/coronavirus/Business-licensing-Coronavirus-COVID-19-updates.aspx>

The current (at the time of writing) Licensing update is "Update, 15 April - Information for Licence-Holders and Applicants". The FAQs describe the situation of many other types of Licence and how we think their positions are affected. Sometimes we say that the licence-holder cannot trade (for example, Part 9 of our FAQs about Fairgrounds) but we don't say that about Taxis and PHCs.

Yours sincerely

4. Alcohol: Premises Licences

Questions:

"Where can I get more guidance?"

"Is my 'Premises Licence' affected by COVID-19?"

"When is the Annual Fee for my Premises Licence due?"

"I have a Premises Licence for a pub, cafe or restaurant. Can I open?"

"Are my Premises a 'Drinks-only Public House Business' ?"

"What are the conditions for trading if I am NOT a 'Drinks-only Public House Business' ?"

"What is the exception for Marriages, Civil Partnerships, and funerals?"

"What are the rules for Hotels?"

"I have a Premises Licence for an off-licence shop. Can I open?"

"The 'Designated Premises Manager' cannot get 'refresher training' before the 5-year deadline. What happens?"

"I don't have 'off-sales' in my Premises Licence. Can I sell ALCOHOL to take-away?"

"I have 'off-sales' in my Premises Licence. Can I sell ALCOHOL to take-away?"

"Can I sell FOOD to take-away?"

"All Premises - Can I do home-delivery of ALCOHOL?"

"Can I do home-delivery of ALCOHOL?"

"What are the rules for home-delivery?"

"Can I sell alcohol in lidded cups ('growlers')?"

"Can snooker or pool clubs, or bowling alleys open?"

"Where can I get more guidance?"

The Scottish Government "Coronavirus (COVID-19): tourism and hospitality sector guidance", published 30 Oct 2020 is at

<https://www.gov.scot/publications/coronavirus-covid-19-tourism-and-hospitality-sector-guidance/pages/frequently-asked-questions-faqs/>

"Is my 'Premises Licence' affected by COVID-19?"

No, the Premises Licence itself is not affected, but the Personal Licence held by the 'Designated Premises Manager' might be affected.

See FAQs below:

- in Part 4: "The 'Designated Premises Manager' cannot get 'refresher training' before the 5-year deadline. What happens?"
- in Part 5: "My 'refresher training' course was cancelled because of COVID-19, and I can't get a training course before the 5-year deadline. What happens?"
- in Part 5: "My Personal Licence will expire soon. What do I do?"

"When is the Annual Fee for my Premises Licence due?"

If your Premises are 'off-sales' only, the fee was due on the normal date in early October.

If your Premises are 'on-sales' (or 'on-sales with off-sales'), the fee was legally due on that date in early October 2020, but in North Ayrshire we will not expect you to pay before 15 February 2021. If you do not pay by then it is likely that the Licensing Board will decide to revoke your Premises Licence or to suspend it until the fee is paid.

This change in the timetable applies only to the fee due in October 2020. Later fees will be due as normal, in October 2021 and October in later years.

"I have a Premises Licence for a pub, cafe or restaurant. Can I open?"

This depends on the date:

- Up to Friday 25 December 2020 (Christmas Day) - North Ayrshire is in "Level 3"
- On and after Saturday 26 December 2020 (Boxing Day) - North Ayrshire is in "Level 4"

If you are in Level 4 you can only open for funerals and other functions - see the FAQ below:

"What is the exception for Marriages, Civil Partnerships, and funerals?"

If you are in Level 3:

- If your Premises are a "Drinks-only Public House Business" you must close;
- If your Premises are **not** a "Drinks-only Public House Business" then you can open, but only with conditions (see below).

In either case, any restriction applies both to the inside and any outdoor drinking area.

"Are my Premises a 'Drinks-only Public House Business' ?"

This only applies in Level 3: You can open to sell food and non-alcoholic drink to seated customers, but only on conditions. On and after Saturday 26 December 2020 (Boxing Day) - North Ayrshire is in "Level 4", so you must close.

'Drinks-only Public House Business' means:

*"any public house which does not have available on its Premises facilities to allow the preparation and service of a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal."
(Local Levels Regulations, Schedule 4, Paragraph 4(3))*

If you have

- a kitchen, and
- "bar meals" and/or "restaurant facilities" in your Operating Plan,

you are **not** a "Drinks-only Public House Business" so (in Level 3) you can open, but only on conditions. See FAQ below:

"What are the conditions for trading if I am NOT a 'Drinks-only Public House Business' ?"

The Scottish Government "Coronavirus (COVID-19): tourism and hospitality sector guidance", published 30 Oct 2020 is at

<https://www.gov.scot/publications/coronavirus-covid-19-tourism-and-hospitality-sector-guidance/pages/frequently-asked-questions-faqs/>

and includes:

"Q. What facilities do I need to meet the requirement to provide a 'main meal'?"

A. In order to provide bar meals you would need to have this activity (or "restaurant facilities") within the operating plan of your premises licence. Your business premises would also have to be currently registered as a food business under the Food Hygiene Act 1990, and have appropriate certificates in place to cover kitchen or food preparation facilities. You would also have to have staff with the appropriate skills and training to provide this service."

"What are the conditions for trading if I am NOT a 'Drinks-only Public House Business' ?"

This only applies in Level 3: You can open to sell food and non-alcoholic drink to seated customers, but only on conditions. On and after Saturday 26 December 2020 (Boxing Day) - North Ayrshire is in "Level 4", so you must close.

You cannot sell alcohol (unless for a marriage ceremony, civil partnership registration, or funeral - see the FAQ below "What is the exception for Marriages, Civil Partnerships, and funerals?").

The conditions are:

- (1) the meal is ordered by, and served to, a customer who is seated on the premises, and the customer remains seated whilst consuming it - Paragraph 3(1);
- (2) the meal cannot include alcohol (but see "Exception for Marriages etc." below) - Para. 5(1)(b);
- (3) no additional customers can be admitted to the Premises after 17.00 until 06.00; (but see "Exception for Marriages etc." below);
- (4) the premises must close by 18.00 and not re-open until 06.00 (but they can still stay open to sell off-sales food and drink; the closing time is sometimes 22.00 - see "Exception for Marriages etc." below);

"What is the exception for Marriages, Civil Partnerships, and funerals?"

This depends on the date:

- Up to Friday 25 December 2020 (Christmas Day) - North Ayrshire is in "Level 3"
- On and after Saturday 26 December 2020 (Boxing Day) - North Ayrshire is in "Level 4"

Level 3

If services are provided in connection with a 'life event' (a marriage ceremony, civil partnership registration, or a funeral), the premises can still sell, supply and allow the consumption of Alcohol until 22.00 (not 18.00), and there is no 'curfew':

- the requirement to cease selling or supplying Alcohol for consumption on any part of its Premises is excluded - Schedule 4, Paragraph 5(1)(a) is excluded by Paragraph 6(1)(a);
- the requirement to not permit consumption of Alcohol on any part of its Premises is excluded - Paragraph 5(1)(b) is excluded by Paragraph 6(1)(a);
- the 'curfew' requirement to cease admitting any additional customers to the Premises after 17.00 does not apply - Paragraph 5(1)(c) is excluded by Paragraph 6(1)(a);
- the closure time of 18.00 is changed to 22.00 - Paragraph 5(1)(d) is modified by Paragraph 6(1)(b).

Level 4

If services are provided in connection with a 'life event' (a marriage ceremony, civil partnership registration, or a funeral), the premises can still sell, supply and allow the consumption of Alcohol until 22.00 and there is no 'curfew':

- the requirement to cease selling or supplying food and drink for consumption on any part of its Premises is limited to requiring Premises to close between 22.00 and 6.00 (Schedule 5, Paragraph 6(1) is modified by Paragraph 7(1)(a))

In both Levels

Apart from the Licensing position, you have to follow any Scottish Government guidance about 'social distancing' and other Coronavirus precautions, and you should discuss your arrangements with the Council's "Protective Services" Department.

The Scottish Government guidance on the numbers attending a 'life event' is that:

1. The maximum number of people should not exceed 20 (in Level 1, 2, 3 or 4) or 50 (Level 0);
2. But if the size of the venue means that it cannot accommodate those maximum numbers with strict physical distancing measures, the number of people able to attend may be less;
3. The number of people attending should ideally be kept to a minimum as far as possible. This will lower the risk of spreading the virus.

IMPORTANT

The special rule allowing services provided in connection with a life event is only available for genuine events. Before you accept a booking to allow the use of your premises, you should satisfy yourself of this. If you allow the use of your premises for an event which is not genuine then you might be charged by the Police and the Licensing Board might consider revoking or suspending your Licence.

"What are the rules for Hotels?"

This depends on the date:

- Up to Friday 25 December 2020 (Christmas Day) - North Ayrshire is in "Level 3"
- On and after Saturday 26 December 2020 (Boxing Day) - North Ayrshire is in "Level 4"

Level 3

In most premises (public houses, cafes, restaurants) usually alcohol cannot be sold, supplied or consumed (this rule is in the Local Levels Regulations, Schedule 4, Paragraph 5(1)) but there are special rules for hotels.

In hotels, there are different rules for:

- residents (permitted) and non-residents (prohibited), and
- drinking in the resident's private room or in the public parts of the hotel

Summary

[A]if the Alcohol is to be consumed by residents in their private room: this is permitted;

[B]if the Alcohol is to be consumed by residents elsewhere: this is permitted;

[C]if the Alcohol is to be consumed by non-residents in guest's private room: this is prohibited;

[D]if the Alcohol is to be consumed by non-residents elsewhere: this is prohibited (except for the marriage etc. exception - see FAQ above "What is the exception for Marriages, Civil Partnerships, and funerals?")

Level 4

The usual rule that bans premises selling food and drink for sit-in consumption is modified for hotel residents.

Summary

[A] The general prohibition in Schedule 5, Paragraph 6(1) does not prevent the consumption of food or drink by a resident of a hotel in their private room: Paragraphs 6(4)(a) and 6(2)(b);

[B] A resident can drink Alcohol in the private room as room service, but not anywhere else in the hotel.

[C] A resident can have food and soft drinks (but not alcohol) if sold between 06.00 and 22.00: Para. 6(2)(c).

[D] Non-residents can only buy alcohol off-sales (Paragraph 6(3)(a)).

[E] Alcohol cannot be drunk by residents (outside room service) or non-residents except for the marriage etc. exception - see FAQ above "What is the exception for Marriages, Civil Partnerships, and funerals?"

"What Contact-Tracing records do I need?"

To help protect people, you need to keep records of your customers so that they can be contact-traced by the NHS later, if there is a risk that the virus has been passed on.

The owner, proprietor and manager of all premises in which food or drink is sold for consumption on the premises must:

- obtain and record "Visitor Information"
- keep it for a period of at least 21 days, and
- if requested by a Public Health Officer, supply it within 24 hours (you can only use the information you have collected for health reasons).

"Visitor Information" means

- the name and telephone number of one member of each household visiting the premises
- the date and arrival time of their visit
- a note of the number of any members of that person's household visiting the premises at the same time.

"I have a Premises Licence for an off-licence shop. Can I open?"

Yes, but you have to apply 'social distancing' measures both inside and outside your Premises, and have regard to Guidance from the Scottish Government.

The rules are in the Local Levels Regulations:

"Level 3": Schedule 4:

- Paragraph 7 ("Requirement to take measures to minimise risk of exposure to coronavirus in a Level 3 area"), and
- Paragraph 8 ("Guidance on minimising exposure to coronavirus").

"Level 4": Schedule 5:

Paragraph 8 ("Requirement to take measures to minimise risk of exposure to coronavirus in a Level 4 area")

Paragraph 9 ("Guidance on minimising exposure to coronavirus in a Level 4 area")

See FAQ in Part 1:

"What should I do to keep the public safe?"

"The 'Designated Premises Manager' cannot get 'refresher training' before the 5-year deadline. What happens?"

See the FAQ in Part 5:

"My 'refresher training' course was cancelled ..."

On-sales Premises - "I don't have 'off-sales' in my Premises Licence. Can I sell ALCOHOL to take-away?"

Strictly speaking you need to either apply for a variation of your Operating Plan or an Occasional Licence to enable you to do this, but during the Coronavirus Emergency the Licensing Board do not expect you to do either of these.

In theory, the Police might charge you with breaking your Licence, but as far as the Licensing Board are concerned there will be no action taken against you solely for the reason that you are selling off-sales during the Emergency.

See the FAQ in this Part:

"Can I sell alcohol in lidded cups ('growlers')?"

"I have 'off-sales' in my Premises Licence. Can I sell ALCOHOL to take-away?"

Yes, but only where this is sold for consumption off the premises.

"Can I sell FOOD to take-away?"

Yes, but only if you have a Food Safety Certificate from the Council's Environmental Health Department. This is different from the Licensing Board which granted your 'Premises Licence'.

During the "Emergency Period" you can sell food for take-away or for home-delivery even if your Licence does not cover this. If you want to keep doing these after the Emergency, you will need to ask the Board to vary your Licence.

The Law that allows this during the Emergency is the Coronavirus (Scotland) Act 2020, Schedule 5, Paragraph 2(8).

"All Premises - Can I do home-delivery of ALCOHOL?"

If you have 'off-sales' in your Premises Licence, you can home-deliver alcohol. You don't need to offer the sale of food. This applies to public houses, cafes, restaurants and shops.

Clubs are a special case:

- Most Clubs have special rules and are called 'Section 125' clubs. They should only supply alcohol to their members, so that they can't do home-delivery for the general public;
- Some Clubs have asked the Board to give up 'Section 125' status, and have become 'Part K clubs'. They can do home-delivery for the general public.

If you don't have 'off-sales' in your Premises Licence, then strictly speaking you need to either apply for a variation of your Operating Plan or an Occasional Licence to enable you to do this, but during the Coronavirus Emergency the Licensing Board do not expect you to do either of these. In theory, the Police might charge you with breaking your Licence, but as far as the Licensing Board are concerned there will be no action taken against you solely for the reason that you are home-delivering alcohol during the Emergency.

It is important that the person who makes the delivery is able to see the customer, to check that the customer is 18 or over. If you have any doubt that the customer is at least 18, you must keep the alcohol (if the delivery includes food, you can give the customer the food).

NEVER LEAVE ALCOHOL ON THE DOORSTEP AND WALK AWAY - MAKE SURE YOU SEE THE CUSTOMER

YOU MUST FOLLOW THE RULES FOR HOME DELIVERY (SEE BELOW)

The Premises Licence Holder is responsible for the sale and the supply to the customer. If the Board is satisfied that any rules about the supply have been broken then they might revoke or suspend the Licence.

"What are the rules for home-delivery ?"

Where alcohol (whether with or without food or any other goods or services) is supplied by delivery away from Licensed Premises (e.g. if a customer orders it by telephone) then:

(a) alcohol can only be sold within Licensed Hours. Check Part 3 of your Operating Plan - if you already have off-sales hours, you must keep to those; if you don't, you must only sell in the period 10.00 a.m. to 10.00 p.m. (that is the period allowed by Board Policy and is the maximum allowed by Section 65 of the Licensing (Scotland) Act 2005);

(b) alcohol can be delivered outside those hours, but cannot be delivered between 12.00 midnight and 6.00 a.m. (Section 120);

(c) the Board is likely to regard a delivery operation as being inconsistent with both the 'crime and disorder' and 'protecting children and young people from harm' Licensing Objectives if alcohol is supplied unless:

(i) the supplier on arrival at the delivery address first carries out the same checks about the recipient's age as would be appropriate to a sale (see Section 102);

(ii) the supplier refuses delivery unless and until such evidence of age is produced.

(d) under Section 119, two records must be made before the Alcohol leaves the Premises:

(i) in a Day Book kept on the Premises; and

(ii) in a Delivery Book or Invoice carried by the person delivering the Alcohol.

(e) The information to be recorded in both cases is:

(i) the quantity, description and price of the Alcohol, and

(ii) the name and address of the person to whom it is to be delivered.

(f) It is illegal to deliver Alcohol to an address which is not recorded in both records. The records must be shown to a Police Constable or Licensing Standards Officer on request.

"Can I sell alcohol in lidded cups ('growlers')?"

You can **only** use these to deliver alcohol to customers at their homes.

This is because Premises which sell off-sales in North Ayrshire have the Board's Standard Conditions. The conditions for off-sales (which means shops selling off-sale as well as pubs) include:

"B.2 Containers - All alcohol sold for consumption off the premises shall be sold in sealed and unopened containers."

Premises which break this condition can be referred to the Licensing Board. The Licence might be revoked or suspended.

These rules mean:

- The alcohol must stay in the possession of a member of your staff or a delivery driver from the time it leaves your premises until the time it is delivered
- the delivery must not be in a public place
- you must not deliver alcohol direct to customers on your premises so that they can take it off your premises.

A customer can only have alcohol in public if it is not in an 'open container'. There are Byelaws in North Ayrshire meaning that it is a criminal offence:

- to drink in public, or
- to possess an 'open container' in public.

If customers buy a can or bottle from an off-sale (a shop or a pub), they can have it in public - they might be taking their shopping home.

What they can't do is open the container. It will have a one-time seal (such as the ring-pull on a can or a screw-top before the maker's seal is broken). Once the can or bottle has been unsealed it is always an 'open container', even if someone puts a lid on it to stop it spilling.

If you sell drink in open containers in circumstances where it is likely to be drunk in breach of the Byelaws the Police can make a Review Application to the Board asking for your Licence to be revoked.

"Can snooker or pool clubs, or bowling alleys open?"

No. See the FAQ in Part 1:

"What is a 'Listed Business' ?"

Both the lists for "Level 3" and "Level 4" include "a snooker or pool hall" and "a bowling alley".

5. Alcohol: Personal Licences

Questions:

"My 'refresher training' course was cancelled because of COVID-19, and I can't get a training course before the 5-year deadline. What happens?"

"My Personal Licence will expire soon. What do I do?"

"I don't have a training certificate. What do I do?"

"My 'refresher training' course was cancelled because of COVID-19, and I can't get a training course before the 5-year deadline. What happens?"

Any Personal Licence Holder must do two things:

- (a) get a 'refresher training' certificate within 5 years of the Licence being issued, and
- (b) show the certificate to the Board (the original or a copy) within 3 months of the end of that 5-year period.

During the "Emergency Period", you have an extra 15 months to do both (a) and (b) because the Board has a Policy (set out below).

This Policy only affects refresher training. It does not affect renewal of a Personal Licence. The rules are different:

All Personal Licence last 10 years (the Licensing Board cannot change this). One of the requirements imposed by the legislation is that every 5 years the Licence-Holder must do both (a) and (b) above. If the Licence-Holder does not do both, the Licensing Board is required by Law to revoke the Licence. There is no Hearing and no Appeal.

So, if your Personal Licence was granted in 2015, the Licence itself would not be due for renewal until 2025, but the deadline for you doing 'refresher training' would be sometime in 2020. Because of the Policy, you have more time.

The new Policy is:

"For the duration of the COVID-19 Emergency, where the Board is satisfied on written evidence from the training course that:

- 1. a Personal Licence Holder had booked a 'refresher training' course to be held before the 5-year date, or no such training was reasonably available but*
- 2. that course was then cancelled,*

then the Board will not immediately revoke the Licence due to failure to comply with the 'refresher training' rules, but the Licence Holder must still get 'refresher training', so (no later than one year after the date when he/she would under normal circumstances have to give the Board evidence of 'refresher training') he/she must do two things:

- 1. get a 'refresher training' certificate, and*
- 2. send the Board a copy.*

If the Licence Holder does both these things, the Board will not revoke the Licence.

If the Licence Holder does neither, or only one, the Board will have no choice but to revoke the Licence."

The legislation applying to the Licence is the Licensing (Scotland) Act 2005. This is on a Government Internet website:

<http://www.legislation.gov.uk/asp/2005/16/contents>

The 'refresher training' rules are in Section 87.

"My Personal Licence will expire soon. What do I do?"

You should apply for renewal now. If you do this before your Licence expires, the emergency rules mean that your Licence continues for an extra 6 months past its Expiry Date.

The emergency rules mean that you can apply for renewal right up to the last day of your Licence, and if you apply before the Expiry Date your existing Licence lasts an extra 6 months.

Download an Application form from our website:

<https://www.north-ayrshire.gov.uk/business/licences-and-permits/food-alcohol-gambling-licences/personal-licence.aspx>

Print it, scan it on computer as a PDF file, and email it to:

naclicensingapplications@north-ayrshire.gov.uk

If you have a training certificate, include a scan of this (if you don't have a training certificate, see the next question).

See FAQ in Part 1:

"How do I pay the Licence fee?"

"I don't have a training certificate. What do I do?"

You should still apply for renewal before your existing Licence expires. If you do that then the emergency rules mean that your existing Licence stays in force for 6 months after its Expiry Date.

We can't grant the renewal application until we see one of these qualifications:

- Scottish Certificate for Personal Licence Holders.
- The Scottish Certificate for Personal Licence Holders (Refresher)

If you can book a training course, check the course leads to one of these.

If you can't book a training course, your Licence will expire after the extra 6 months. The Law that gives you an extra 6 months is the Coronavirus (Scotland) Act 2020, Schedule 5, Paragraph 3(2).

6. Alcohol: Occasional Licences

Questions:

"I have an Occasional Licence for an event. Can it still take place?"

"What is the exception for Marriages, Civil Partnerships, and funerals?"

"I had a Licence for an event, but I had to cancel it because of COVID-19. I plan to re-schedule the event for later. Can I get a refund of the Licence Fee or can I credit the fee I've already paid against the fee for my next Licence?"

"Can I use a series of Occasional Licences to run a business?"

"I have an Occasional Licence for an event. Can it still take place?"

Probably not. The Local Levels Regulations ban most gatherings. There are a few exceptions, including an exception for 'life events'. See the FAQ below:

"What is the exception for Marriages, Civil Partnerships, and funerals?"

If none of the exceptions apply, anyone involved can be prosecuted and faces fines of up to £10,000. Also, the Police can issue on-the-spot fines of £60.

"What is the exception for Marriages, Civil Partnerships, and funerals?"

This depends on the date:

- Up to Friday 25 December 2020 (Christmas Day) - North Ayrshire is in "Level 3"
- On and after Saturday 26 December 2020 (Boxing Day) - North Ayrshire is in "Level 4"

Level 3

If services are provided in connection with a 'life event' (a marriage ceremony, civil partnership registration, or a funeral), the premises can still sell, supply and allow the consumption of Alcohol until 22.00 (not 18.00), and there is no 'curfew':

- the requirement to cease selling or supplying Alcohol for consumption on any part of its Premises is excluded - Schedule 4, Paragraph 5(1)(a) is excluded by Paragraph 6(1)(a);

- the requirement to not permit consumption of Alcohol on any part of its Premises is excluded - Paragraph 5(1)(b) is excluded by Paragraph 6(1)(a);
- the 'curfew' requirement to cease admitting any additional customers to the Premises after 17.00 does not apply - Paragraph 5(1)(c) is excluded by Paragraph 6(1)(a);
- the closure time of 18.00 is changed to 22.00 - Paragraph 5(1)(d) is modified by Paragraph 6(1)(b).

Level 4

If services are provided in connection with a 'life event' (a marriage ceremony, civil partnership registration, or a funeral), the premises can still sell, supply and allow the consumption of Alcohol until 22.00 and there is no 'curfew':

- the requirement to cease selling or supplying food and drink for consumption on any part of its Premises is limited to requiring Premises to close between 22.00 and 6.00 (Schedule 5, Paragraph 6(1) is modified by Paragraph 7(1)(a))

In both Levels

Apart from the Licensing position, you have to follow any Scottish Government guidance about 'social distancing' and other Coronavirus precautions, and you should discuss your arrangements with the Council's "Protective Services" Department.

The Scottish Government guidance on the numbers attending a 'life event' is that:

1. The maximum number of people should not exceed 20 (in Level 1, 2, 3 or 4) or 50 (Level 0);
2. But if the size of the venue means that it cannot accommodate those maximum numbers with strict physical distancing measures, the number of people able to attend may be less;
3. The number of people attending should ideally be kept to a minimum as far as possible. This will lower the risk of spreading the virus.

IMPORTANT

The special rule allowing services provided in connection with a life event is only available for genuine events. When you apply for an Occasional Licence and want to use this special rule, you should be able to prove (if asked by the Board and/or the Police) that the proposal is for a genuine event. If you allow the use of premises for an event which is not genuine then you might be charged by the Police both:

- with breaking the Coronavirus laws; and
- making a false statement on a Licence Application.

"I had a Licence for an event, but I had to cancel it because of COVID-19. I plan to re-schedule the event for later. Can I get a refund of the Licence Fee or can I credit the fee I've already paid against the fee for my next Licence?"

No. If you want to operate on a different date you will have to apply for a second Licence, and you will have to pay a second fee.

"Can I use a series of Occasional Licences to run a business?"

At the moment, yes, but this may change.

The Convenor of North Ayrshire Licensing Board has confirmed that during the Coronavirus Emergency the Board will consider applications for Occasional Licences (OLs) to operate mail order or internet businesses. This is a temporary departure from Policy. Normally a trader would have to apply for a Premises Licence, as Occasional Licences are normally intended only for short-duration events, typically lasting only a few hours, like parties and wedding receptions. Normally Board Policy would prevent Occasional Licences from being used for regular trading.

The temporary change of Policy was adopted at the start of the Coronavirus Emergency, when Boards were not having meetings at all, so if the Policy had not been changed businesses that wanted to trade on OLs would not have been able to trade.

The Board have now re-started meetings, using video-conferencing, so the use of OLs for trading will not be allowed to continue indefinitely. While we are still in the early stages of resuming something like normal meetings, there will come a time when the Board will no longer allow the departure from Policy to continue, and will expect traders to apply for the grant or major variation of Premises Licences, as appropriate, and not use OLs.

By Law an Occasional Licence has a maximum duration of 14 days, so businesses have to apply for a sequence of 14-day Occasional Licences. The Application procedure is set out below (see below "1. Application Procedure"). Each Licence costs £10.

While businesses can apply for a sequence of 14-day Occasional Licences, they should note:

- that the use of Occasional Licences is not a long-term solution for them;
- to maintain a Licence long-term, businesses will need to apply for and have granted a Premises Licence if it is planned to continue the sale of alcohol, rather than using a series of OLs;

The Board only departed from their usual practice (of refusing OLs for the ordinary operation of business) during the COVID Emergency; a concern for the Board is that they have an Overprovision Policy, which legally cannot apply to Occasional Licences, so they would be normally unwilling to countenance Occasional Licences in cases where a permanent Licence might not be granted.

Other matters:

1. Application Procedure
2. Mail-Order and internet sales

1. Application Procedure

For the duration of the COVID Emergency the Board are temporarily departing from the 'no business use' Policy, and this allowed Premises which did not otherwise have beer gardens ("Outdoor Drinking Areas") to get these licensed quickly (although, when the Level restrictions started, these had to close).

A similar approach could be used for the business here. Our website explains about Occasional Licences.

For the duration of the Emergency we have modified our procedures for obtaining Occasional Licences, and this is why our website currently refers to the procedure for getting an Occasional Licence for "Outdoor Drinking Areas", rather than the more usual use of Occasional Licences (for parties etc.). However, the basic procedure is much the same:

Our website includes a page "Occasional licence":

<https://www.north-ayrshire.gov.uk/business/licences-and-permits/food-alcohol-gambling/licences/occasional-licence.aspx>

Under the heading "How to apply" you can disregard most of it, because it relates to the relaxation of the "Outdoor Drinking Areas" procedure during the Coronavirus Emergency:

- the advice and guidance note
- the Layout Plan
- the Land Certificate or Lease
- the Roads Consent

but what is relevant is the link "Occasional Licence Application Form", although that form is in two parts and only the first part (the first 3 pages, ending with the applicant's signature) is relevant here (the remainder called "Application Schedule" can be ignored).

Download the form and send it to

licensing@north-ayrshire.gov.uk

All the Licensing staff are working from home so they will contact you to arrange payment. The fee is £10 for each 14-day Occasional Licence. This fee is not refunded or reduced if the Occasional Licence is refused or is granted for less than was requested (e.g. shorter hours). You can make repeated applications, but we ask you not to make the second until the first has actually been granted and taken effect, and so on for the second, third and fourth etc..

As there is a procedure that we have to follow, please apply for the second, third, fourth, etc. OL **as soon as** you receive the current OL. We have found that Applicants who leave it until the last few days of the 14-day life of the current OL to apply for the next one may find themselves unlicensed for a few days, as there is a gap between one OL expiring and the next one starting.

Occasional Licences are normally granted by a Board officer under "Delegated Powers", and even pre-COVID it was unusual for applications to be referred to the Board Meeting. During the Emergency, instead of there being a Board hearing, we are using the statutory fast-track procedure to process Occasional Licence applications, using Delegated Powers granted to officers or, in controversial cases, the Convenor. It is likely that, whether or not there are any objections (e.g. from the Police or NAC Departments), the first Application will be considered by the Convenor. After that, later Applications are likely to be dealt with by officers, assuming that there are no problems with the first application. The whole process takes about a week, counting from the date of application until the issue of the Licence, with the first application taking a couple of days more.

2. Mail-Order and internet sales

The Board is regulated by the Licensing (Scotland) Act 2005 and the Board is obliged to consider the principles set out in Section 4 ("Licensing Objectives"). Two are particularly relevant to remote selling:

"preventing crime and disorder,"

"protecting Children and Young Persons from harm"

To emphasise this: Whether the Application is for an Occasional Licence or a Premises Licence, the Board would expect a written description of the procedures for sale and supply.

The focus is not simply on whatever precautions are taken to prevent sale to under-18s in the first place. The Board would want to be satisfied that supply would not occur without the delivery agent carrying out some age-verification checks, e.g. such as those that would be expected in a traditional off-sales shop selling over-the-counter. This implies that the delivery agent meets the customer face-to-face, so use of a courier might not be accepted, e.g. the Board might not accept the possibility that the package might be left with a neighbour rather than a customer.

The Board's policy on many matters is in their "Licensing Policy Statement":

<http://www.north-ayrshire.gov.uk/business/licences-and-permits/food-alcohol-gambling/licences/licensing-board.aspx>

The Board will not automatically refuse to license a home-delivery service where the business was solely selling alcohol over the internet, but they are likely to seek assurance from you that the Licensing Objectives would not be compromised by the proposal.

The Board might ask how the Licence Applicant would comply with:

(1) Section 119(4): Alcohol can only be delivered from a Vehicle or receptacle if details of the quantity, description and price of the Alcohol, and the name and

address of the person to whom it is to be delivered are entered, before the despatch of the Alcohol, in both

(a) a day book kept on the Premises from which the Alcohol is despatched, and

(b) a delivery book or invoice carried by the person delivering the Alcohol.

(2) Section 120 ("Prohibition of late-night deliveries of Alcohol" - deliveries are prohibited between midnight and 6.00 a.m.).

See the FAQ in Part 4:

"What are the rules for 'home delivery' ?"

Part 4 is headed "Premises Licences" as the activity proposed tends to be associated with permanent businesses, rather than with Occasional Licences:

7. Parades and Processions

Questions:

"Can I go to a parade during the emergency?"

"Can I take part in protests and demonstrations?"

"Can I go to a parade during the emergency?"

No - this applies whether the parade is before or after North Ayrshire moves from "Level 3" restrictions to "Level 4" (on Saturday 26 December 2020 (Boxing Day)).

We have issued the note below to organisers ("Note by North Ayrshire Council on what is permitted in North Ayrshire from 2 November 2020").

This ban applies even if the Council has issued the usual letter confirming that the parade can proceed - that letter has been superseded by the change in the Law.

Anyone involved can be prosecuted and faces fines of up to £10,000. Also, the Police can issue on-the-spot fines of £60.

The Law is in the Local Levels Regulations

"Level 3" - Schedule 4, Paragraph 11 ("Restriction on public Gatherings outdoors in a Level 3 area")

"Level 4" - Schedule 4, Paragraph 12 ("Restriction on public Gatherings outdoors in a Level 4 area")

"Note by North Ayrshire Council on what is permitted in North Ayrshire from 2 November 2020"

Introduction

This note is intended to detail the current position on what armistice remembrance events are now permitted under COVID-19 restrictions.

In terms of the current COVID-19 restrictions, the whole of North Ayrshire is in Level 3 from Monday 2 November.

New and updated Scottish Government Guidance on remembrance events was published on 30 October 2020 and can be viewed at:-

<https://www.gov.scot/publications/coronavirus-covid-19-remembrance-2020/>

The key sentence is:-

“Under the new framework, outdoor events of more than 6 people from 2 different households are not permitted in Local Authority areas which fall within Protection Levels 2, 3 and 4. This means that organised local Remembrance events will not be able to take place unless they are held within a Place of Worship.”

What is not Allowed

- 1. The current legal position in North Ayrshire is that no events or ceremonies can take place at war memorials or outside- even if seated, if 2m distancing or other steps are in place.*
- 2. It is not permissible for organisations to wait in line to lay a wreath.*
- 3. It is not permissible for people to attend a service at a memorial, even with 2m distancing.*
- 4. No marches or parades take place.*

What is allowed

- 1- Services in a church, with numbers restricted to 50 and subject to all the other arrangements which churches have already put in place*
- 2- Up to 6 people from 2 households (the 6/2 rule) can gather outside at a war memorial*
- 3- Wreaths can still be laid at memorials. However, in order to comply with the 6/2 rule only 2 people who are not from the same household can lay the wreath and they will have to leave immediately. As it is likely that some members of the public will still turn up to pay their respects at 11am on Armistice Sunday (or at the normal time when a service would otherwise take place at a specific memorial) it is strongly recommended that wreaths are laid at a quiet time, preferably before 10am on Armistice Sunday. Organisations may wish to liaise to ensure that wreaths are laid at different times. If those laying wreaths find that others are already present, you may need to wait until the 6/2 rule can be complied with. North Ayrshire Council will be laying wreaths at the 16 memorials where it normally lays such wreaths. These will be laid by the Provost, Councillors or Council officers in accordance with this paragraph.*

4- Everyone is being recommended to remember the fallen from their home and to honour a 2-minute silence at 11am on Armistice Sunday. The Council's Communications team will be issuing messaging next week from the Provost, as the Council's Armed Forces Champion, to reinforce this.

Conclusion

The Council is not always aware of the contact details of every organisation who might be planning an event. Therefore, it would help if organisations who receive this Note could share it with other local organisations whom you know might be organising events. Finally, it is fully appreciated that the ongoing uncertainty over what might be permitted, will have been frustrating for many organisations who have been planning their events for months. Nevertheless, it is important that we do not inadvertently support any breach of the regulations, regardless of how good a cause we believe this to be. The risk is that this undermines our efforts as community leaders to persuade others to comply. The sooner we can get North Ayrshire down to level 2 the better for all of us."

"Can I take part in protests and demonstrations?"

Yes, but you should read the Scottish Government Guidance "Guidance for people organising and taking part in protests and demonstrations during the coronavirus pandemic", which is at:

www.gov.scot/publications/coronavirus-covid-19-protests-and-demonstrations

8. Tattooing, Skin Piercing, or other 'Close Contact Services'

IMPORTANT
<p>This advice depends on the date:</p> <ul style="list-style-type: none">- Up to Friday 25 December 2020 (Christmas Day) - North Ayrshire is in "Level 3"- On and after Saturday 26 December 2020 (Boxing Day) - North Ayrshire is in "Level 4" <p>This advice depends on the "Level":</p> <p>"Level 3" - You can only have a "Close Contact Service" (CCS) if you are working in dedicated Premises (you can't travel to customers' houses - this is a "Mobile CCS")</p> <p>"Level 4" - <u>all</u> "Close Contact Services" are prohibited, even in Premises.</p>

Questions:

"What is a 'Close Contact Service' (CCS)?"

"I have a 'Close Contact Service'. Can I open?"

"Can I go to other people's houses to do a 'Close Contact Service' ?"

"Can I do a 'Close Contact Service' in my own house for people from outside my household?"

"What is a 'Close Contact Service' (CCS)?"

A "Close Contact Service" means:

- (i) beauty and nail services (including make-up services),
- (ii) hair removal services,
- (iii) tattoo, piercing and body modification services,
- (iv) fashion design, dress-fitting and tailoring services,
- (v) indoor portrait photography and art services,
- (vi) massage therapies,
- (vii) complementary and alternative medicine services requiring physical contact or close physical proximity between persons, but not osteopathy and chiropractic services,
- (viii) spa and wellness services,
- (ix) other services or procedures which require physical contact or close physical proximity between a provider and a customer and are not ancillary to medical, health, or social care services.

"I have a 'Close Contact Service'. Can I open?"

You must close your premises while North Ayrshire is in "Level 4". See FAQ in Part 1:

"What is a 'Listed Business' ?"

You can only open your premises while North Ayrshire is in "Level 3" or lower:

You can work but:

- you need to take Coronavirus precautions, and
- you can only work out of Premises which are used for this "Close Contact Service". You cannot go into private homes to do work unless the only use of the place you work is for that "Close Contact Service".

See the FAQ in Part 1 (above):

"What should I do to keep the public safe?"

You will have to follow Scottish Government Guidance: "Coronavirus (COVID-19): retail sector guidance" at:

<https://www.gov.scot/publications/coronavirus-covid-19-retail-sector-guidance>

This is Guidance for the retail sector, including "Close Contact Services" such as hairdressers and barbers, which covers procedures for staff and customer safety and an operations checklist. You should pay particular attention to the heading "Close Contact Services".

"Can I go to other people's houses to do a 'Close Contact Service'?"

No. That would be a "Mobile Close Contact Service", which is illegal.

You cannot have a "Close Contact Service" in a Level 3 area unless it is:

- in premises already set aside for them (like a hairdressing parlour), or
- in a room in a private house, if that room is exclusively used for that CCS, or
- in a room in a hospice, or other care setting, if that room is exclusively used for that CCS.

If you don't meet these conditions, the service is a "Mobile CCS", which is illegal. You can't offer CCS in someone else's house or in your house, if the room is not exclusively used for that CCS.

"Can I do a 'Close Contact Service' in my own house for people from outside my household?"

No. That would be a "Mobile Close Contact Service", which is illegal.

See the FAQ above:

"Can I go to other people's houses to do a 'Close Contact Service' ?"

9. Fairgrounds and Public Entertainment

Questions:

"I have a Public Entertainment Licence. Can I open?"

"I had a Licence for an event, but I had to cancel it because of COVID-19. I plan to re-schedule the event for later. Can I get a refund of the Licence Fee or can I credit the fee I've already paid against the fee for my next Licence?"

"I have a Public Entertainment Licence. Can I open?"

No. See the FAQ in Part 1:

"What is a 'Listed Business' ?"

"I had a Licence for an event, but I had to cancel it because of COVID-19. I plan to re-schedule the event for later. Can I get a refund of the Licence Fee or can I credit the fee I've already paid against the fee for my next Licence?"

No. If you want to operate on a different date you will have to apply for a second Licence, and you will have to pay a second fee.

See the FAQ in Part 1 above: "I cannot operate because of the Coronavirus rules. Can I get a refund, reduction or credit of the Licence Fee?"

10. Markets

Questions:

"I have a Market Operator's Licence. Can I open?"

"I had a Licence for an event, but I had to cancel it because of COVID-19. I plan to re-schedule the event for later. Can I get a refund of the Licence Fee or can I credit the fee I've already paid against the fee for my next Licence?"

"I have a Market Operator's Licence. Can I open?"

Yes. Outdoor markets are permitted subject to the rules on maintaining social distancing and hygiene.

See Paragraph 4.4 of the Scottish Government Guidance "Coronavirus (COVID-19): Safer Public Spaces for Scotland - Urban Centres and Green Spaces" at:

<https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2020/11/coronavirus-covid-19-safer-public-spaces-updated-guidance/documents/coronavirus-covid-19-safer-public-spaces-scotland-urban-centres-green-spaces/coronavirus-covid-19-safer-public-spaces-scotland-urban-centres-green-spaces/govscot%3Adocument/coronavirus-covid-19-safer-public-spaces-scotland-urban-centres-green-spaces.pdf>

See FAQ in Part 1 above:

"What should I do to keep the public safe?"

The Law changed on 29th June 2020. Before then outdoor markets were prohibited.

"I had a Licence for an event, but I had to cancel it because of COVID-19. I plan to re-schedule the event for later. Can I get a refund of the Licence Fee or can I credit the fee I've already paid against the fee for my next Licence?"

No. If you want to operate on a different date you will have to apply for a second Licence, and you will have to pay a second fee.

See the FAQ in Part 1 above:

"I cannot operate because of the Coronavirus rules. Can I get a refund, reduction or credit of the Licence Fee?"

11. Street Traders and Pedlars

"I have a Street Trader's Licence or a Pedlar's Certificate. Can I work?"

Yes. Outdoor markets are permitted subject to the rules on maintaining social distancing and hygiene.

See Paragraph 4.4 of the Scottish Government Guidance "Coronavirus (COVID-19): Safer Public Spaces for Scotland - Urban Centres and Green Spaces" at:

<https://www.gov.scot/binaries/content/documents/govscot/publications/advice-and-guidance/2020/11/coronavirus-covid-19-safer-public-spaces-updated-guidance/documents/coronavirus-covid-19-safer-public-spaces-scotland-urban-centres-green-spaces/coronavirus-covid-19-safer-public-spaces-scotland-urban-centres-green-spaces/govscot%3Adocument/coronavirus-covid-19-safer-public-spaces-scotland-urban-centres-green-spaces.pdf>

See FAQ in Part 1 above:

"What should I do to keep the public safe?"

The Law changed on 29th June 2020. Before then outdoor markets were prohibited.

12. Take-Away food shops

"I have a Late Hours Catering Licence. Can I stay open to sell food?"

Yes. You have to take precautions. See FAQ in Part 1 above:

"What should I do to keep the public safe?"

13. Window Cleaners

"I have a Window Cleaner's Licence. Can I work?"

Yes, if you follow this Guidance:

- (a) you have no coronavirus symptoms;
- (b) you keep at least two metres from anyone on the Premises you are working on;
- (c) you only work outside.

14. Caravans

Questions:

"Can I allow people who live in caravans AS THEIR USUAL HOMES stay on the site?"

"Can I allow people who live in caravans BUT NOT AS THEIR USUAL HOMES stay on the site?"

"Does the rule about Caravan Sites only being used at some times of the year apply?"

"Can I allow people who live in caravans AS THEIR USUAL HOMES stay on the site?"

Yes.

"Can I allow people who live in caravans BUT NOT AS THEIR USUAL HOMES stay on the site?"

Not if the caravan occupier usually lives outside North Ayrshire. It is illegal to enter a "Level 3" or "Level 4" area without a good excuse. Taking a holiday is not a good excuse.

If you are operating a business you have to follow Scottish Government guidance. This advises against unnecessary travel.

"Does the rule about Caravan Sites only being used at some times of the year apply?"

No.

Some Caravan Site Licences have a condition restricting the use of the site to particular times of the year - a common example is a condition limiting use to 11 months of the year. In anticipation of businesses re-opening and the limitations on movement being lifted, we have had requests to lift that condition so that holiday-home owners can get holidays and sites can take bookings.

This condition no longer applies to any Caravan Site in North Ayrshire, and will not be re-imposed after the Coronavirus Emergency. There is no need for the Licence-Holders of individual sites to ask the Council;

but

you should check your site's Planning Permission as well - this is regulated by different legislation from the laws that the Licensing Committee use. The change of policy allowing all-year-round use only affects the Licence. Some sites might have a restriction limiting occupation under the Planning legislation, so you should check your Planning Permission to see if there is a condition about this. Contact the Council's Development Management Department.

15. Landlords and Houses in Multiple Occupation (HMOs)

Questions:

"Can I still let tenants stay in my house?"

"Can I evict tenants who have Coronavirus?"

"Can tenants stay in my house even if the tenants are not keeping up the rent?"

"Can I cut off services like electricity and water if the tenants are not keeping up the rent?"

"When does an HMO Licence expire?"

"Can I still let tenants stay in my house?"

Yes.

"Can I evict tenants who have Coronavirus?"

No. Even before the COVID-19 Emergency, a Landlord could only evict a tenant with an order from the "Housing and Property Chamber" of the "First Tier Tribunal". This still applies.

"Can tenants stay in my house even if the tenants are not keeping up the rent?"

Yes. Even before the COVID-19 Emergency, a Landlord could only evict a tenant with an order from the "Housing and Property Chamber" of the "First Tier Tribunal". This still applies. The rules about this have been changed by the Coronavirus (Scotland) Act 2020. You should speak to your Letting Agent or take independent legal advice.

"Can I cut off services like electricity and water if the tenants are not keeping up the rent?"

No. This is against the Law and the Police could charge you.

"When does an HMO Licence expire?"

All House in Multiple Occupation (HMO) Licences in North Ayrshire have been varied so that they expire six months after the date stated on the Licence.

Because of the Coronavirus Emergency, North Ayrshire Council did this:

The Council published the proposal to do this in an earlier version of these FAQs.

Any HMO Licence Holder, Police Scotland or Scottish Fire and Rescue was entitled to make written representations about this proposal within 7 days of the Friday 10 July 2020 (this was the date of the version of this document which first contained this proposal).

As we did not receive written representations in that time we assumed that no-one had any objection to the proposal, and varied all North Ayrshire HMO Licences, so the change applies automatically.

16. Gambling

Questions:

"I have a Licence for a Bingo Premises or Amusement Arcade. Can I open?"

"I have a Licence for a Betting Shop. Can I open?"

"Is the timetable for paying GAMBLING Annual Fees changed because of Coronavirus?"

"I have a Licence for a Bingo Premises or Amusement Arcade. Can I open?"

No. See the FAQ in Part 1:

"What is a 'Listed Business' ?"

The lists for both "Level 3" and "Level 4" include "a bingo hall" and "an amusement arcade" on the list of businesses that must close.

"I have a Licence for a Betting Shop. Can I open?"

This depends on the date:

- Up to Friday 25 December 2020 (Christmas Day) - North Ayrshire is in "Level 3"
- On and after Saturday 26 December 2020 (Boxing Day) - North Ayrshire is in "Level 4"

When North Ayrshire is in "Level 4" the shop will have to close. See the FAQ in Part 1:

"What is a 'Listed Business' ?"

The list "Level 4" includes "Betting shop" on the list of businesses that must close.

"Is the timetable for paying GAMBLING Annual Fees changed because of Coronavirus?"

Yes. The emergency legislation passed because of the Coronavirus Emergency (the Coronavirus Act 2020) did not change Gambling law but in North Ayrshire we will not expect you to pay before 15 February 2021.

17. Animals

Questions:

"I have a Licence for Animals, such as a Riding Establishments Licence or an Animal Boarding Licence. Can I still open to the public?"

"I have a Pet Shop. Can I stay open?"

"I have a Licence for Animals, such as a Riding Establishments Licence or an Animal Boarding Licence. Can I still open to the public?"

Yes. You need to take precautions. See FAQ in Part 1:

"What should I do to keep the public safe?"

"I have a Pet Shop. Can I stay open?"

Yes. You need to take precautions. See FAQ in Part 1:

"What should I do to keep the public safe?"