



This brief document is provided for Golf Clubs affiliated to the SGU and/or SLGA and is intended only to provide a general overview and is based on understanding following discussion with The Scottish Government Criminal Law and Licensing Division. Whilst every reasonable effort has been made to ensure accuracy, the SGU and SLGA accept no responsibility for any outcome arising from information contained within this document or any reliance upon it. Any club in doubt should seek advice from an appropriate professional and take independent legal advice specifically in relation to its own position.

1. The Act is complete and in place, ready for implementation. There may well be changes in future but of a minor nature.
2. Local Licensing Boards (LLB) (42 in Scotland) have very wide discretions under the Act. During the Transition period (1.2.08 – 1.9.09), LLB's should advise clubs when they require those clubs to apply for their new premises licence. The LLB's are required to write to clubs at least twice. **However, the strong advice is for clubs to contact their LLB as soon as possible to obtain their required application deadline dates.** LLB's have a maximum of 6 months to consider an application.
3. Golf Clubs are required to have a premises license but are **not** required to have a Personal Licence Holder but might be wise to consider this. Clubs are afforded exemptions under the Act and this is one of them. We are aware of correspondence issued by various sources including solicitors stating that all licensed premises require a Personal Licence Holder but please be assured this is not so for clubs.

However, from 1.9.09, all staff who serve alcohol (no distinction between paid staff and volunteers) must have completed a 2-hour training session which must be delivered by a Personal Licence Holder.

We have made enquiries with the Scottish Qualifications Authority (SQA) which has confirmed that there are currently three accredited organisations as follows:

- British Institute of Innkeeping (BII)
- City & Guilds
- Education Development International

The training requirements can be found in SSI no 397 -The Licensing (Training of Staff)(Scotland)(Regulations 2007.

With regard to Personal Licences, the qualification – Scottish Certificate for Personal Licence Holders – can be obtained from a variety of centres such as colleges. Indications from these centres are that the course lasts for one full day and would cost circa £150 per individual.

Clubs are therefore faced with a choice as follows:

Invest the time (1 day) and money (approximately £150 + expenses) required for an appropriate individual to obtain a Personal Licence. This individual would then be able to deliver the training required for other individuals who will serve alcohol, presumably at no cost.

Do not apply for a Personal Licence and incur the cost and inconvenience of needing to provide training for every individual as and when required. Details of the cost of this 2-hour training are vague at this time but it could be envisaged that the training would not be delivered at the golf club concerned and so some provision for travel expenses should be considered in addition of the cost of the training itself.

There is no government funding available for subsidy against training costs.

4. Licence costs: Golf clubs (provided they are currently "Registered clubs") have been allocated to the lowest cost bracket.

Application fees for golf clubs are capped at £200 (£2000 for the highest category) but may be reduced at the discretion of the LLB.

Annual fees for golf clubs are capped at £180 (£900 for the highest category) but may be reduced at the discretion of the LLB.

A Personal Licence Fee is £50 for 10 years and this is a standard level across Scotland and may not be reduced by LLBs.

5. Operating Plans: The Act specifies a scale of 1:100 but clubs with existing plans to a different scale are advised to contact LLB's and enquire as to whether their current plan are satisfactory. However such plans are very unlikely to meet the detailed "layout plan" regulations.

There is no statutory requirement to use a specialist for the production of the plan or completion of the application but it may be wise to do so.

6. Franchised bars: Clubs are advised to take early legal advice as to what, if any, differences apply to franchise holders within a golf club. This may depend on the structure/nature of the franchise arrangement. Clubs should consider holding the premises licence in their own name as it will usually be prudent to do so (to avoid any issues arising should a franchise holder surrender any licence) in his/its name e.g. when a club steward moves on.

Summary

Clubs are advised to contact their LLB AS SOON AS POSSIBLE and enquire about:

1. Application deadline.
2. Application and Licence fees.
3. Whether (for those clubs with plans drawn to a scale other than 1:100) plans to a scale other than 1:100 would be acceptable to the LLB.
4. Any other concerns you may have.

Each club is also advised to take independent advice on how these issues affect it specifically.