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| **LICENSING (SCOTLAND) ACT 2005 - COMMON COMPLIANCE FAILURES****This ready-reckoner should assist you in complying with legislation** |

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| **Compliance****Failure** | **What is required?** | **Offence or****Breach of Condition?** | **Consequences?** | **Do I comply?****[✓ or x]** |
| No premiseslicence kept on premises | Premises Licence must be kept onpremises and available for inspection | Offence | £1000 fine(level 3 Standard Scale) |  |
| No summarypremises licence displayed onpremises | Summary Premises Licence must bedisplayed on premises and available for inspection | Offence | £1000 fine(level 3 Standard Scale) |  |
| No personal licenceon premises | Personal licence holder must be in possession of licence when working on premises and the licence must be available for inspection.*(Not applicable to licensed clubs)* | Offence | £500 fine(level 2 Standard Scale) |  |
| No “Section 110”Notice displayed | Statutory notice stating alcohol will not be sold to persons under 18 years.Should be displayed at each point of sale | Offence | £1000 fine(level 3 Standard Scale) |  |
| No DesignatedPremises Manager(DPM) | Licensed premises must have a namedDPM. Alcohol cannot be sold without aDPM being in place*(Not applicable to licensed clubs)* | Breach of condition | Possible review of premises licence by licensing board. |  |
| No Children andYoung Person(C&YP) Notice | There are two styles of statutory notice.One of the notices should be displayed at each public entrance to the premises.(The premises operating plan details C&YP access). | Breach of condition | Possible review of premises licence by licensing board. |  |
| No staff training | All staff who are not personal licenceholders must be trained prior to their first sale of alcohol on the premises | Breach of condition | Possible review of premises licence by licensing board. |  |
| No staff trainingrecords | Training records must be kept on the premises for all members of staff selling alcohol. Training Declaration must be completed. | Breach of condition | Possible review of premises licence by licensing board. |  |
| No AlcoholAuthorisation | Designated Premises Manager or otherPersonal Licence holder must authorise staff to sell alcohol on the premises.*(Not applicable to licensed clubs)* | Breach of condition | Possible review of premises licence by licensing board. |  |
| No drinking wateravailable | On sales premises only – drinking watershould be available free of charge | Breach of condition | Possible review of premises licence by licensing board. |  |
| No baby changing facilities | Baby changing facilities must be available in those premises admittingchildren under 5 years of age | Breach of condition | Possible review of premises licence by licensing board. |  |
| Non-payment ofannual and recurring fees | Fees to be paid within timescales set bylicensing board | Breach of condition | Possible review of premises licence by licensing board. |  |

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| **Compliance****Failure** | **What is required?** | **Criminal Offence or****Breach of****Condition?** | **Consequences?** | **Do I comply?****[✓ or/ x]** |
| Not NotifyingBoard of change ofConnected Persons  | Any change must be notified within one month of the change.*Contact LSO for full details of what constitutes a connected person*  | Offence | £500 fine(level 2 Standard Scale) |  |
| No AgeVerification policy | All licensed premises are required to have in place anAge Verification policy.  | Breach of Condition | Possible review of premises licence by licensing board. |  |
| Failure to observe Minimum Unit Pricing (MUP) | The price per unit is 50p and all licensed premises (including those premises covered by an occasional licence) must sell alcohol at or above this price.  | Breach of Condition | Possible review of premises licence by licensing board. |  |