

Tel: 01724 297745/7750 Fax: 01724 297692
E Mail: licensing@northlincs.gov.uk

Our Ref: NB/JM-LA/ltrs/PREM01-guidance

Licensing Act 2003 – Application for a Premises Licence

Thank you for your enquiry regarding an application for a premises licence. A premises licence is required for those premises that propose to have any of the following activities:

the sale by retail of alcohol,
the provision of regulated entertainment, and
the provision of late night refreshment.

Application form

A premises licence is a one off application. Should amendments be required at a later date, a variation application will be required. The following should accompany this guidance:-

1. The application form for a premises licence.
2. The prescribed form of notice, which needs to be displayed on the premises and in a locally circulating newspaper.
3. The council's Licensing Policy.
4. A list of responsible authorities.
5. List of licence fees.

Note:

You are strongly recommended to give careful attention to all of these documents.

Fees

Fees for the grant of a Premises Licence are banded according to the non-domestic rateable value (NDRV) for the premises. These are detailed on the enclosed sheet.

The appropriate fee should accompany the application. No fee is payable if the application is for regulated entertainment only and is to be held at a church/chapel hall or at a village, parish or community hall or similar buildings. Schools or colleges are also exempt if the entertainment activities are carried on by itself for the purpose of itself.

Responsible Authorities

As part of the application procedure, you are required to give a copy of the application, including the accompanying documentation, to the 'responsible authorities'. You should do this on the same day as the application is given to the licensing authority. We will check to ensure that they have got their copies. If they do not get these copies within 48 hrs we will have to reject the application.

The responsible authorities are detailed on the enclosed sheet.

Plan of the Premises

A plan of the premises must be included with the application. The plan should be drawn to a scale of 1:100 unless you have previously agreed with the licensing authority in writing that an alternative scale plan is acceptable. In addition you must also send a copy to the responsible authorities as part of the application.

The plan of the premises needs to meet the requirements set out in the Act to show the following:

- a) The extent of the boundary of the building, if relevant, and any external and internal walls of the building, and if different, the perimeter of the premises;
- b) The location of points of access to and egress from the premises;
- c) If different from paragraph (b), the location of escape routes from the premises;
- d) Where the premises is used for more than one existing licensable activity, the area within the premises used for each activity;
- e) Where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor;
- f) Where the premises includes any steps, stairs, elevators or lifts, the location of these;
- g) The location of male and female sanitary provisions and how many;
- h) The location and type of fire safety and any other safety equipment;
- i) The location of a kitchen, if any, on the premises.

Advertising

Applications must be advertised as set out in the Act. This includes the prescribed notice form to be posted in some conspicuous place outside the premises to which the application relates for a period of at least 28 days. The notice must be printed and placed so as to be easily read by passers-by on the highway(s) or from an adjoining public place. The prescribed notice form should be used for this purpose.

All applicants for the grant of a licence are required to arrange for the application to be advertised in a locally circulating newspaper within 10 working days of the date on which the application is made. If you do not advertise the application appropriately, we will have to reject your application.

Guidance - How to Complete the Application Form

In the opening statement, you should insert the name of the applicant or applicants who are applying for a licence.

Part 1 (Premises details) – Asks for the address and some other details of the premises. If the premises have no postal address, for example, if the application relates to an event on open land, you should describe the location of the premises or give the ordnance survey map reference.

Part 1 also asks for the non-domestic rateable value (NDRV) of the premises. This is not the same as the actual business rates which you pay, but is a value determined by the valuation office, which helps determine business rates. The NDRV of any premises can be checked on the Valuation Office Agency (VOA) website www.voa.gov.uk.

Part 2 (Applicant details) – Asks you to state the capacity in which you are applying, for example as an individual, a limited company, charity etc. You can only apply in one of these capacities so should only tick one box.

You should then give further details in either section (A) individual applicants or (B) other applicants, but not both.

Part 3 (Operating schedule) - You should state the date you would like the licence to start. A premises licence will last indefinitely, unless otherwise stated in the box provided.

The question concerning the number of people attending the premises at any one time is necessary to determine whether an additional fee for larger events should apply. It is not necessary to complete this box if you think that less than 5000 people will attend.

You are asked to describe the premises. For example the type of premises it is, its general situation and layout and any other information that would be relevant to the licensing objectives. You should also describe any areas that you intend to provide for people to consume alcohol that you sell or supply such as outside areas e.g. beer gardens.

Licensable activities - You should indicate which licensable activities you wish to carry on by ticking the appropriate boxes. In considering what to put in this section, you should think about all the activities you may want to conduct at the premises in the future and consider whether any are licensable activities under the Act. After this you should complete the corresponding boxes from A to M that relate to those activities. Only complete the boxes that relate to the activities you have ticked.

You should give timings using the 24-hour clock and only give details for days of the week when you intend the premises to be used for the licensable activities in question. The space marked 'state any seasonal variations' gives you the opportunity to include any, for example, longer hours or additional days during the summer. The space marked 'non standard timings', gives you the opportunity to record occasions when the timings will change. For example, you may wish the activity to go on longer on Christmas Eve or weekends preceding bank holidays.

Except in box C (indoor sport) you are asked to indicate whether the activity is taking place indoors, outdoors or both. Indoors may include a tent or other temporary structure.

In the space marked 'please give further details here', please state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Designated Premises Supervisor (DPS) – If you intend to sell alcohol, you must give details of the person who you wish to be the DPS under the new licence. The DPS will need to hold a valid personal licence. There is only one DPS for each premises (but any number of personal licence holders) and it is usually the person who has day-to-day responsibility for the premises. You will also need to submit a DPS consent form signed by the person you wish to be your DPS (you need to do this even if this is the same person who is applying for the premises licence).

Box N – This asks you to give information about anything to occur at the premises or ancillary to the use of the premises, which may give rise to concern in respect of children, for example nudity or semi-nudity, films for restricted age groups. Do not complete this section if it does not apply to your premises, but rather than leave blank, it would be better to write 'none' or 'n/a' to be clear that you have considered this, rather than simply forgotten to complete the box.

Box O – Whilst this may include times where no licensable activities take place, it is important for responsible authorities and the licensing authority to know how long your premises are open in addition to the times where licensable activities will take place.

You should indicate whether any of the 'seasonal variations' and 'non standard timings' for licensable activities, would affect the hours the premises are open to the public, in the spaces provided.

Steps to promote the licensing objectives – Don't forget you should already be abiding by relevant legislation in other areas. The enclosed licensing policy will give you further guidance in this area. If you feel there is nothing more to do, rather than leave blank, it would be better to write 'none' or 'n/a' to be clear that you have considered this, rather than simply forgotten to complete the boxes.

In the event that the application is in any way incomplete, it will not be treated as a proper application and returned accordingly. This will result in unnecessary delays during which time licensable activities, which require the benefit of a licence, cannot be held.

Please note that any approach by applicants or their representatives directly to individual Council Members in respect of any application will be recorded and may result in that Member withdrawing from the decision making process.

Should you have any further queries regarding the above, do not hesitate to contact the Licensing Division.