



Licensing Act 2003

New Applicants Pack

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Ipswich Borough Council

Guidance to Applicants

Contacts:

Send your completed application form with **£23** to:

Licensing Team

Grafton House

15-17 Russell Road

IPSWICH

IP1 2DE

email: licensing@ipswich.gov.uk

A copy of your form should also be sent, at the same time, to:

The Licensing Police Unit

Suffolk Constabulary

Landmark House

4 Egerton Road

Ipswich

IP1 5PF

email: policealcohollicensing@suffolk.pnn.police.uk

Please note we **do not** accept cheque, cash or PO payments. We can take card payments over the telephone or BACS payment into Lloyds Bank, PO Box 4, 13 Cornhill, Ipswich, IP1 1DG sort code 30-94-55 a/c no. 04900414 (ref: 8103GFAA LIC311)

If you need further information about licensing, please contact us on:

Telephone 01473 433075/76

E-mail: licensing@ipswich.gov.uk

Further Information can be obtained from:

Ipswich Borough's Licensing Policy at <http://www.ipswich.gov.uk/>

Licensing Act 2003 and the Guidance issued under Section 182 of the Act (**both available at** www.culture.gov.uk).

The British Institute of Innkeepers at www.bii.org

WARNING:

This pack provides advice based on information available at the time of writing and this may change. It is intended for guidance only and does not provide authoritative legal advice.

Ipswich Borough Council

CONSENT OF INDIVIDUAL TO BEING SPECIFIED AS PREMISES SUPERVISOR

I.....(full name of prospective premises supervisor) Of

..... (home address of prospective premises supervisor) hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

.....(type of application) by

.....(name of applicant)

relating to a premises licence.....(number of existing licence, if any) for

..... (name & address of premises to which the application relates) and any premises licence to be granted or varied in respect of this application made by

.....(name of applicant) concerning the supply of alcohol

..... (name & address of premises to which the application relates)

I also confirm that I am applying for, intend to apply for, or currently hold a personal licence, details of which I set out below.

Personal licence number.....
(insert personal licence number, if any)

Personal licence issuing Authority

(insert name and address and telephone number of personal licence issuing authority, if any)

Signed.....

Name.....

Date.....

Guidance on Designated Premises Supervisor

- A Designated Premises Supervisor (DPS) is the person identified on the premises licence as the person who supervises the premises
- Any premises where alcohol is supplied under a premises licence **must** have a DPS
- The DPS **must** be a personal licence holder
- There may only be one DPS named for any premises licence
- The DPS will be named in the premises licence, a summary of which must be displayed on the premises
- The DPS will not necessarily be the premises licence holder, although this may often be the case. They will be the point of contact for the premises at all times for the Licensing Authority and for all the Responsible Authorities.
- Any application for a Premises Licence must also include a form of consent given by the individual Personal Licence holder whom the applicant wishes to have specified as the DPS

Does the Designated Premises Supervisor (DPS) have to be on the premises at all times when alcohol is being sold?

No. In some cases this may not be physically possible. However, it will be expected that the DPS will spend a significant amount of time on the premises and it is essential that the DPS is able to be contactable at all time. This is particularly important when problems arise on the premises

Can an objection be made to the person specified as the DPS?

Yes, but only from the Chief Officer of Police, where it might be at that the crime prevention objective could be undermined by the appointment of the person specified.

What happens when a DPS leaves his/her employment?

- The DPS **must** give notice to the relevant Licensing Authority that they wish to be removed from the Premises Licence.
- Within 48 hours of the notice to the Licensing Authority, the DPS must provide a copy of this notice to the Premises Licence holder.
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The DPS is also required to send a notice to the Premises Licence holder directing that the Premises Licence must be sent to the relevant Licensing Authority within 14 days of receipt of the notice.

Application to vary a premises licence to specify an individual as designated premises supervisor under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I / we

(full name(s) of premises licence holder)

being the premises licence holder, apply to vary a premises licence to specify the individual named in this application as the premises supervisor under section 37 of the Licensing Act 2003

Premises licence number

--

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description

--

Post town

Post code (if known)

--	--

Telephone number (if any)

--

Description of premises (please read guidance note 1)

--

Part 2

Full name of proposed designated premises supervisor

Nationality

Place of birth

Date of birth

Personal licence number of proposed designated premises supervisor and issuing authority of that licence (if any)

Full name of existing designated premises supervisor (if any)

Please tick yes

I would like this application to have immediate effect under section 38 of the Licensing Act 2003 (please read guidance note 2)

I have enclosed the premises licence or relevant part of it

(If you have not enclosed the premises licence, or relevant part of it, please give reasons why not)

Reasons why I have failed to enclose the premises licence or relevant part of it

Please tick yes

- I have made or enclosed payment of the fee
- I will give a copy of this application to the chief officer of police (please read guidance note 3)
- I have enclosed the consent form completed by the proposed premises supervisor
- I have enclosed the premises licence, or relevant part of it or explanation
- I will notify the existing premises supervisor (if any) of this application (please read guidance note 4)
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO KNOWINGLY OR RECKLESSLY MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971] FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS.

THOSE WHO EMPLOY AN ADULT WITHOUT A VALID LEAVE TO ENTER OR REMAIN IN THE UK OR AN ADULT WHO IS SUBJECT TO CONDITIONS WHICH WOULD PREVENT THAT PERSON FROM TAKING UP EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND, PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED BY VIRTUE OF THEIR IMMIGRATION STATUS.

Part 3 – Signatures (please read guidance note 5)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 3). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date

.....

Capacity

.....

For joint applicants signature of 2nd applicant 2nd applicant's solicitor or other authorised agent (please read guidance note 7). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date

.....

Capacity

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 8)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

Guidance notes

- 1) Describe the premises. For example the type of premises it is.
- 2) An application to vary a premises licence so as to name a different premises supervisor may be given immediate effect (that is, from the time that the application is received by the licensing authority) if the premises licence holder requests it at the time he makes an application under section 37. Section 38 enables the holder of a premises licence to continue the supply of alcohol if, for example, the existing premises supervisor is suddenly indisposed or unable to work. If the application is rejected, the licence reverts to the form it took before the application was made
- 3) A full copy of the application form must be sent to the chief officer(s) of police for the police area(s) in which the premises are situated. The notice should state whether section 38 of that Act (circumstances in which section 37 application given interim effect) applies to the application
- 4) Section 37(4)(b) of the Licensing Act 2003 required the premises licence holder to notify the existing designated premises supervisor (if any) about the application. It is sufficient for the licensee to inform the existing premises supervisor in writing, without the need to share the specific details of the application. The notice should state whether section 38 of that Act (circumstances in which section 37 application given interim effect) applies to the application.
- 5) The application form must be signed.
- 6) An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 7) Where there is more than one applicant, both applicants or their respective agents must sign the application form.
- 8) This is the address which we shall use to correspond with you about this application.