

How to apply for New Premises Licence or Vary your existing Premises Licence And to apply for Minor Variations

The appropriate application form should be completed having read this guidance leaflet and taking into consideration the content of the Council's Statement of Licensing Policy. Details of the relevant legislation and Government Guidance are available on the Department of Culture Media and Sports website (www.culture.gov.uk).

Licensing Objectives

You need to bear in mind the four licensing objectives when completing your application. They are:

- Public safety
- Prevention of public nuisance
- Prevention of crime and disorder
- The protection of children from harm
-

Incomplete Applications

We cannot accept incomplete applications. The time limit for processing will not start until you have supplied a correctly completed application, fee, and all other documentation required.

Duration of Licence

Premises Licences and Club Premises Certificates last for the lifetime of the business, unless you apply for a licence for a shorter period.

Designated Premises Supervisor

If you are applying for a Premises Licence that includes consent to supply or sell alcohol (but not a Club Premises Certificate), you must appoint a Designated Premises Supervisor (DPS). The DPS must be a Personal Licence Holder issued by the Licensing Authority under the Licensing Act 2003. This person is ultimately responsible for everything that happens on the premises, including any offences that may take place. You are only permitted to nominate one DPS per premises. The DPS does not have to be present on the premises at all times. However, as they are responsible for ensuring the premises are compliant with the law, we would suggest you appoint somebody who has some day-to-day responsibility for the relevant part of the business.

Part 1 – Premises details

Enter the address of the premises you wish to apply for including the 'non-domestic rateable value', which will determine the fee to be applied.

Part 2 – Applicant details

The applicant for the premises licence or club certificate, should be completed here.

Part 3 – Operating Schedule

Only tick the boxes relating to the regulated entertainment/alcohol/opening hours you wish to apply for.

(for variation only)

Part 3 – Variation

A brief outline of the nature of your variation should be completed here.

Part 4 – Operating Schedule

Only tick the boxes relating to the regulated entertainment/alcohol/opening hours you wish to vary.

Licensable activities

You must complete the corresponding part for every box ticked on the previous section
You must state what licensable activities you wish to vary, and the times you would like to do this. Times must be given in the 24-hour clock.

Example

Let's say you wanted to sell alcohol from 11.00am to 11.00pm on Sundays to Thursdays and 11.00am to 2.00am on Fridays and Saturdays. The following would be acceptable:

Example

Supply of alcohol	Will the sale of alcohol be for consumption: (please tick)
Standard days and timings	On the premises, Off the premises, Both

Example Days and Times

Day	Start	Finish	Comments
Mon	1100	2300	State any seasonal variations for the supply of alcohol
Tue	1100	2300	
Wed	1100	2300	<i>New Years Eve – 11:00 to terminal hour following day</i>
Thur	1100	2300	
Fri	1100	0200	Non standard Timings
Sat	1100	0200	
Sun	1100	2300	

Seasonal Variations

This would allow you to open later on say, Christmas Eve, or to open later during the summer months (you would have to specify which months). You need to say when you want to open and for how long.

Non Standard Timings

This caters for special events or Bank Holidays, for example. You may normally open until 11.00pm on Mondays, but on the first Monday of every month a folk club meet at your premises and you would like to provide alcohol and regulated entertainment until midnight on these occasions. You would put the details in this box.

Indoors or Outdoors

If licensed activities will take place in a building or similar structure, please tick "Indoors". If activities are to take place in the open air, or with a roof cover and no side wall covers, please tick "Outdoors". If you are a pub with a garden (for example) and you would like licensable activities to take place in the garden, you would tick both boxes.

Further Details

You are expected to state the type of activity to be authorised and where applicable, the frequency of these activities. (If you intend to provide licensed activities regularly you do not need to specify this).

For example:

Plays – if the premises licence is for a one off event, you would put the play title here. Otherwise you would state, for example, whether the plays are for children only, a mixed audience, for an amateur dramatics association, and so on.

Film Exhibitions – if a cinema, you may say here how many screens you have. You may describe the type of films you intend to show, e.g. art films, mixed films for all age ranges, and so on.

Indoor Sporting Events – describe the type of sports you intend to provide.

Boxing and Wrestling Entertainments – the category of fights you may wish to provide, whether they will be professional or amateur and so on.

Performance of Live Music – how many musicians do you intend to have performing, what type of music will they play, and will the music be amplified or un-amplified?

Playing of Recorded Music – what sort of recorded music? Will it be a DJ or a sound system?

What is the power output of any sound system to be used? Will you be providing karaoke?

Performance of Dance – what type of dancing? Will there be a stage or will it be roaming dancers, such as strippers?

Entertainment of a Similar Description – describe the type of entertainment, e.g. comedy shows

Provision of Facilities for Making Music – describe the provision, e.g. a piano, guitars etc.

Describe how the facilities will be used, e.g. a folk club.

Provision of Facilities for Dancing – describe where the dance floor will be, what size it is etc.

Provision of Facilities for Entertainment of a Similar Description - describe what the facilities are and what they might be used for.

Late Night Refreshment – Say what you intend to do, e.g. selling food for takeaway purposes only, selling food for consumption on the premises, the type of food you sell etc.

You can also use this section to tell us how often you are likely to use the licence, e.g. “Plays will only be held once a month for no more than three days at a time”.

Activities That May Give Rise to Concern in Respect of Children

This could include nudity or semi-nudity (such as exotic dancers), films for restricted age groups or the presence of gaming machines.

Hours Premises Are Open to the Public

This area is for you to say what time the public may enter the building or premises and what the latest time is they will leave, regardless of whether licensable activities are taking place.

Steps You Intend to Take to Promote the Four Licensing Objectives

This is a very important part of the form. You must use this area to demonstrate that you can run your business in accordance with the four licensing objectives and the Council’s Statement of Licensing Policy.

You need to satisfy the responsible authorities we consult and any other interested parties (e.g. local residents), that you can run the premises responsibly and in accordance with the licensing objectives. If these people do not feel the steps you propose are adequate, they may object to the licence being granted.

It is in everybody’s interests to reduce the likelihood of people objecting to your application. You must think very carefully about how you are going to address the four licensing objectives.

Examples of things you may wish to consider are given below:

General – All Four Licensing Objectives

- Providing registered door supervisors
- Having a Personal Licence Holder on the premises at all times the licence is being used
- Staff training on licensing issues
- Installing a CCTV system

The Prevention of Crime and Disorder

- Drugs policies/notices
- Membership of a local Pubwatch scheme
- Providing adequate lighting
- Use of a walkie-talkie link to other licensed premises in the area

- Age restrictions
- Search policies
- Bottle bans

Public Safety

- Provision of emergency lighting
- Provision of additional escape routes
- Accommodation limits
- First Aid provision
- Seating arrangements
- Use of special effects
- Number of attendants

The Prevention of Public Nuisance

- Provision and use of a noise-limiting device
- Secondary glazing/soundproofing
- Noise patrols of the local area
- Keeping the music to a reasonable level
- Litter clearance
- Considerate loading/unloading arrangements
- Controlling noxious odours from cooking etc
- Not using external areas after a certain time
- Restricting hours that amplified music can take place
- Keeping doors and windows closed while the licence is being used
- Prevention of light pollution
- Notices asking patrons to leave quietly

The Protection of Children From Harm

- Restricting access to adult entertainment, e.g. lap dancing, age restricted films etc
- Provision of children's areas
- CRB checks of staff involved in looking after young people
- Proof of age cards
- Prevention of access to gaming machines
- A limit on the hours during which children can be present on the premises
- Requirement to be accompanied by an adult
- Requirement for attendants to be present when children's activities are taking place

You are not expected to address issues already covered by existing legislation, e.g. "I will not serve to people who are obviously drunk" or "I will not serve alcohol to under-18's".

Whatever you put in this section will become a condition of your licence. Therefore you should not volunteer to do anything that you are not able, or not prepared, to do if the licence is granted.

Advertising Your Application

Public Notice

You must advertise your application by way of a notice displayed at the premises for a period of no less than 28 consecutive days starting on the day after the day on which the application was given to the relevant licensing authority, which is: -

- of a size equal or larger than A4,
- of a pale blue colour,
- printed legibly in black ink or typed in black in a font of a size equal to or larger than 16;

The notice must be displayed in a position where it can be conveniently read from the exterior of the premises by persons passing in the street, and in the case of a premises covering an area of more than fifty metres square, a further notice in the same form and subject to the same

requirements every fifty metres along the external perimeter of the premises abutting any highway.

Council officers will check that you have displayed the notice and your application will not be accepted unless this is done.

Local publication

You must also advertise by publishing a notice in a local newspaper or, if there is none, in a local newsletter, circular or similar document, circulating in the vicinity of the premises on at least one occasion during the period of ten working days starting on the day after the day on which the application was given to the relevant licensing authority.

An example advertisement for this purpose is enclosed. You should send a copy of the newspaper containing the advertisement to us as soon as it is published.

Documents to be Included with the application

You must enclose the following:

- The fee (see attached list)
- A plan of the premises. The plan must be drawn to a scale of 1 centimetre to 1 metre (1:100), unless we have previously confirmed in writing to you that an alternative scale is acceptable. The plan must show:
 1. 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
 2. The location of points of access to and from the premises
 3. If different from the above, the location of the escape routes from the premises
 4. In a case where the premises is to be used for more than one licensable activity, the area within the premises used for each activity
 5. Fixed structures (including furniture) or similar objects temporarily in a fixed location (but not furniture) that may impact on the ability of customers to use exits or escape routes without impediment
 6. In a case where premises include a stage or raised area, the location and height of each stage or area relative to the floor;
 7. In a case where the premises include any steps, stairs, elevators or lifts, the location of the steps stairs, elevators or lifts;
 8. In the case where the premises includes any room or rooms containing public conveniences, the location of the room or rooms
 9. The location and type of any fire safety and other safety equipment
 10. The location of any kitchen on the premises.
 11. The consent form from the proposed Designated Premises Supervisor.

Part 5 – Signatures

If the application is made by a limited company, partnership or unincorporated association, someone who has the capacity to bind the company or partnership should sign. Your Agent may sign providing he or she has actual authority to do so.

Where there are two applicants, they both must sign the form.

Minor Variations

As of the 29th July 2009 new legislation has been introduced to be included in the Licensing Act 2003. This legislation now allows Premises Licence and Club Premises Certificate owners to apply for 'Minor Variations' to their licences.

The Minor Variations include adding Regulated Entertainment to an existing licence, minor changes to the layout of the premise, small adjustments to the licensing hours (cannot increase the licensing hours between 23:00hrs and 07:00hrs but a reduction in the hours or to move the hours (without increasing) between 07:00hrs and 23:00hrs) and the removal of irrelevant or unenforceable conditions, these could include the 'Embedded Conditions' carried over on conversion of the Premise Licence when the Licensing Act was first introduced. Also the applicant could apply to have volunteered conditions placed on their Premise Licence if they feel it is needed to promote the Licensing Objectives following a minor variation application. The application must be made on the *Prescribed Form*.

The system has been introduced to make small variations to an existing Licence or Certificate easier and less costly to the applicant.

The fee for a Minor Variation is £89 and the decision to grant must be made within 15 working days by the Licensing Authority. There is no need to advertise the application in the local newspapers or send copies to the Responsible Authorities but a white notice must be placed in the premise advertising the application made to the Licensing Authority. (example is attached at APPENDIX C)

The final decision as to the granting of the application for a Minor Variation lies with the Licensing Officer and there will be no committee hearing held if the variation is rejected. If this happens then the applicant can apply for a full Variation and the increased costs involved.

The *Prescribed Form* is available on the MVDC web page under 'Premises Application Forms'.

Details of the new legislation can be found on the DCMS web site:

http://www.culture.gov.uk/what_we_do/alcohol_and_entertainment/default.aspx/

Copy to Responsible Authorities

You must supply a copy of your application to the Responsible Authorities recognised by the licensing authority (see attached list).

If your application is incomplete you will have to resubmit it to these authorities.

The address of the licensing authority to which application should be addressed is:

Environmental Health
Licensing Team
Mole Valley District Council
Pippbrook
Dorking
Surrey
RH4 1SJ

Responsible authorities/ Contact points for advice

<p>Mr Daniel Miller Police Licensing Officer, Mole Valley PO Box 101 Guildford, Surrey, GU1 9PE</p>	<p>Miller14817@surrey.pnn.police.uk 01483 638868</p>
<p>Surrey Fire & Rescue Service East Area Office Leatherhead Fire Station Cobham Road Fetcham, Surrey KT22 9AW</p>	<p>Mark.Nagle@surreycc.gov.uk</p>
<p>Surrey County Council Trading Standards Consort House 5-7 Queensway Redhill RH1 1YB</p>	<p>Tel: 01372 371751 Fax: 01372 371704</p>
<p>Environmental Health Department Mole Valley District Council Pippbrook Dorking Surrey RH4 1SJ</p> <p>Health & Safety – All other premises not listed below</p>	<p>Tel: 01306 879234 Fax: 01306 879329</p>
<p>Health & Safety Executive The Council Offices Station Road East Oxted Surrey RH8 0BT</p> <p>For; Fairgrounds, agricultural shows, ski slopes, railways, local authority premises, police or fire authority premises.</p>	
<p>County Child Employment Enforcement & Strategy Manager Quadrant Court, 35 Guildford Road Woking, GU22 7QQ</p>	<p>childemployment@surreycc.gov.uk</p>
<p>Planning Department Duty Officer Mole Valley District Council Pippbrook Dorking Surrey RH4 1SJ</p>	<p>Tel: 01306 879102 planning@molevalley.gov.uk</p>
<p>Lesley Hackney Public Health Business Manager Public Health NHS Surrey Room G55 County Hall Penrhyn Road Kingston Upon Thames KT1 2DN</p>	<p>Tel: 0208 541 7976 lesley.hackney@surreycc.gov.uk</p> <p>The PCT will cease to exist from April 2013 when the Surrey team will be transferring to Surrey County Council.</p>

Main Fee Levels

Band	A	B	C	D	E
Non domestic rateable value	None to £4,300	£4,301 to £33,000	£33,001 to £87,000	£87,001 to £125,000	£125,001 plus
Premises licences*					
New application & variation	£100	£190	£315	£450	£635
Multiplier applied to premises used exclusively or primarily for the supply of alcohol for consumption on the premises (Bands D & E only)	N/A	N/A	N/A	X2 (£900)	X3 (£1905)
Annual charge *	£70	£180	£295	£320	£350
Annual charge multiplier applied to premises used exclusively or primarily for the supply of alcohol for consumption on the premises (Bands D&E only)	N/A	N/A	N/A	X2 £640	X3 £1050
Club premises certificates					
New application and variation	£100	£190	£315	£450	£635
Annual Charge	£70	£180	£295	£320	£350

*There are additional fees for premises licence applications, and the annual fee for exceptionally large scale events (5,000+), unless certain conditions apply.

ADDITIONAL FEE

<i>Column 1</i>	<i>Column 2</i>
<i>Number</i>	<i>Additional fee</i>
5,000 to 9,999	£1,000
10,000 to 14,999	£2,000
15,000 to 19,999	£4,000
20,000 to 29,999	£8,000
30,000 to 39,999	£16,000
40,000 to 49,999	£24,000
50,000 to 59,999	£32,000
60,000 to 69,999	£40,000
70,000 to 79,999	£48,000
80,000 to 89,999	£56,000
90,000 and over	£64,000

Please read Regulation 4(4) and 4(5) of [The Licensing Act 2003 \(Fees\) Regulations 2005](#)

LICENSING ACT 2003

Mole Valley District Council
Environmental Health, Licensing Team, Pippbrook, Dorking, Surrey, RH4 1SJ

GUIDANCE **ADVERTISING VARIATION APPLICATIONS**

ADVERTISING AN APPLICATION FOR A *NEW / *VARIATION OF A *PREMISES LICENCE / *CLUB PREMISES CERTIFICATE

(*Delete as appropriate)

An application for A *new / *variation of a *premises licence / *club premises certificate must be advertised on the site and in a locally circulating newspaper.

Site Notice

The notice must be displayed for a period of no less than 28 consecutive days, starting on the day after the day on which the application was given to Mole Valley District Council.

The notice must be:

- A4 sized or larger
- On pale blue
- Printed legibly or typed in black in a font size of point 16 or larger

The notice must in all cases be displayed prominently at or on the premises to which it relates in such a position that it can be easily read from outside of the premises. Where premises cover an area in excess of fifty metres square, a further notice in the same format shall be displayed every fifty metres along the perimeter of the premises abutting the highway.

The site notice must state the following:

- Name of the applicant for a *premises licence or the *name of the club
- The postal address of the *premises or *club. If there is no postal address a description of the premises sufficient to enable the location and extent to be identified
- Briefly describe the proposed variation. In order that the public can make a properly informed decision as to whether or not to make representations you are strongly advised to include the proposed times of licensable activities, opening hours if different and the type of licensable activities proposed at the premises.
- The date by which an interested party or responsible authority may make representations to the Licensing Authority
- That representations shall be in writing
- That it is an offence to knowingly or recklessly make a false statement in connection with an application and the maximum fine for such an offence.

A sample site notice format is attached as Appendix A should you wish to use it.

Newspaper notice

The applicant shall publish a notice in a locally circulating newspaper or, if there is none, in a local newsletter, circular or similar document circulating in the vicinity of the premises.

The newspaper notice shall be published on at least one occasion during the period of ten working days, starting on the day after the day on which the application was given to the relevant Licensing Authority.

The newspaper notice must state the following:

- Name of the applicant for a *premises licence or the *name of the club
- The postal address of the *premises or *club. If there is no postal address a description of the premises sufficient to enable the location and extent to be identified
- Briefly describe the proposed variation. In order that the public can make a properly informed decision as to whether or not to make representations you are strongly advised to include the proposed times of licensable activities, opening hours if different and the type of licensable activities proposed at the premises.
- The date by which an interested party or responsible authority may make representations to the Licensing Authority
- That representations shall be in writing
- That it is an offence to knowingly or recklessly make a false statement in connection with an application and the maximum fine for such an offence.

A sample newspaper notice format is attached as Appendix B should you wish to use it.

The information in this guidance was accurate when produced, but you are always advised to seek your own legal advice should you have any queries and you should note that the Council cannot be liable in any way for the contents of this guidance.

APPENDIX A

Sample site notice format.
(The notice must be in font size 16 or larger)

LICENSING ACT 2003

Application for a *New / *Variation of a *Premises Licence / *Club Premises
Certificate

(*Delete as appropriate)

I (Insert full name of applicant).....

Of (Insert the full postal address of the premises).....
.....
.....

(Where there is no postal address a description of the premises sufficient to enable the location and extent of the premises to be identified)

I have submitted an application for a *new / *variation of a *premises licence / *club premises certificate to Mole Valley District Council, Environmental Health Licensing Team, Pippbrook, Dorking, Surrey, RH4 1SJ. The record of the application may also be inspected at this address between 9.00 am and 4.00 pm Mon – Friday.

Details of *New / Variation (Type of licensable activity, proposed times of activities and opening hours of premises).....
.....
.....
.....

Interested parties and responsible authorities may make written representation to the relevant Licensing Authority by.....(Insert date which shall be no less than 28 consecutive days starting on the day after the day on which the application was given to the Licensing Authority) such representation shall be made in writing.

It is an offence to knowingly or recklessly make a false statement in connection with an application, the maximum fee for which a person is liable assuming conviction for the offence is level 5 on the standard scale.

Sample newspaper notice format

LICENSING ACT 2003

Application for a *New / *Variation of a *Premises Licence / *Club Premises Certificate
(*Delete as appropriate)

I *(Insert full name of applicant)*.....

Of *(Insert the full postal address of the premises)*.....

.....
.....

(Where there is no postal address a description of the premises sufficient to enable the location and extent of the premises to be identified)

I have submitted an application for the *new / *variation of a *premises licence / *club premises certificate to Mole Valley District Council, Environmental Health Licensing Team, Pippbrook, Dorking, Surrey, RH4 1SJ. The record of the application may also be inspected at this address between 9.00 am and 4.00 pm Monday.

Details of * New / Variation *(Type of licensable activity, proposed times of activities and opening hours of premises)*.....

.....
.....
.....

Interested parties and responsible authorities may make written representation to the relevant Licensing Authority by.....(Insert date which shall be no less than 28 consecutive days starting on the day after the day on which the application was given to the Licensing Authority) such representation shall be made in writing.

It is an offence to knowingly or recklessly make a false statement in connection with an application, the maximum fee for which a person is liable assuming conviction for the offence is level 5 on the standard scale.

Licensing Act 2003

Minor variation of Premises Licence/Club Premises Certificate

I *(insert the name of the applicant)*

.....

Of *(insert the address of the Premise where the Minor Variation will have effect)*

.....

.....

.....

I have submitted an application for a minor variation of a *premises licence / *club premises certificate to Mole Valley District Council, Environmental Health Licensing Team, Pippbrook, Dorking, Surrey, RH4 1SJ. The record of the application may also be inspected at this address between 9.00 am and 4.00 pm Monday to Friday.

Details of the Minor Variation

.....

.....

.....

Interested parties may make written representation to the relevant Licensing Authority by.....*(Insert date which shall be no less than 10 working days starting on the day after the day on which the application was given to the Licensing Authority)*

such representation shall be made in writing.

It is an offence to knowingly or recklessly make a false statement in connection with an application, the maximum fee for which a person is liable assuming conviction for the offence is level 5 on the standard scale.