



## **THE LICENSING ACT 2003 GUIDANCE FOR APPLICANTS**

### **Applying for a Premises Licence/variation, Club Registration Certificate, variation etc.**

A licence is required for any of the following:

- Provision of regulated entertainment (plays, films, indoor sporting events, boxing or wrestling entertainment, live music, recorded music, performance of dance, anything similar).
- Provision of late night refreshment
- Supply of alcohol

Any person aged over 18 years, a business or partnership, may apply for a premises licence. The application must be made on the prescribed form and must be accompanied by;

- The required fee
- An operating schedule
- A plan of the premises to which the application relates
- If it is intended to supply alcohol, a form of consent given by the individual that the applicant wishes to have specified as the “designated premises supervisor”.

All applications and accompanying documents must be given to the Licensing Authority and the other Responsible Authorities

### **Advertising**

The application must also be advertised in the following way.

A notice, A4 size or larger, of a pale blue colour, printed legibly in black in font size of at least 16, must be displayed at or on the premises in a prominent position for at least 28 consecutive days, starting on the day after the day on which the application was given to the council.

Publication of the same notice in a local newspaper, circulating in the vicinity of the premises within ten working days starting on the day after the day on which the application was given to the council.

## **Completing the form**

Please complete all forms in **black ink**

### **Part 1: Premises details**

This section asks for the address and other details of the premises. If the premises has no postal address, for example if the application relates to open land, you should describe the location of the premises or give the Ordnance Survey map reference. This section also asks for the non-domestic rateable value (NDRV) of the premises. The amount will determine the fee to be paid with the application and the annual fee thereafter. The NDRV of any premises can be checked on the Valuation Office Agency (VOA) website [www.voa.gov.uk](http://www.voa.gov.uk). Premises that do not have an NDRV are treated as falling into Band A for licensing fee purposes.

The applicable fees are as follows:

- A: No rateable value to £4,300
- B: £4,301 to £33,000
- C: £33,001 to £87,000
- D: £87,001 to £125,000
- E: £125,001 and above

Rateable value bands	A	B	C	D	E
Application/variation Fee	100	190	315	450	635
Annual Charge	70	180	295	320	350

### **Part 2: Applicant details**

Please state the capacity in which you are applying. You can only apply in one of these capacities so you should only tick one box.

If you are applying as a person described in (a) or (b) you must also tick one of the three boxes at the end of this section.

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

### **Part 3: Operating schedule**

#### **General description of the premises**

You are asked to describe the premises. For example, the type of premises, its general situation and layout and any other information which could 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 J that relate to those activities. Only complete the boxes that relate to the activities you have ticked.

You should give timings using the 24 hours 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 the opportunity to include, for example, any longer hours or additional days during the summer. The space marked 'non-standard timings' gives 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 sporting events) you are asked to indicate whether the activity is taking place indoors, outdoors or both. Indoors may include a marquee. In the space marked 'Please give further details here', please state the type of activity to be authorised, if not already stated, and give further details, for example whether or not music will be amplified or unamplified.

### **BOX A: Plays**

A performance of any dramatic piece (including rehearsal), which is given wholly or in part by one or more person, performing by way of speech, singing or action, involving the playing of a role.

### **BOX B: Films**

Any exhibition of moving pictures except where its sole or main purpose is to demonstrate a product, advertise goods or services, or provide information, education or instruction, or if it consists or forms part of an exhibit at a museum or art gallery. The use of television or radio receivers is not licensable, except for the showing of pre-recorded programmes.

### **BOX C: Indoor sporting events**

Any contest, exhibition or display of any sport in which physical skill is the predominant factor, and any form of physical recreation, which is also engaged in for the purposes of competition for display which takes place wholly inside a building, and at which spectators are accommodated inside that building.

### **BOX D: Boxing or wrestling entertainments**

Unlike other sports, boxing and wrestling are licensable whether held indoors or outdoors.

### **BOX E: Live music**

Music includes vocal or instrumental music or any combination of the two. Live music is not licensable if it is incidental to some other activity, which is not in itself regulated entertainment.

### **BOX F: Recorded music**

Again, this is not licensable if it is incidental to some other activity. For example, background music in a supermarket is likely to be considered incidental. If you have a jukebox or a DJ at your premises you need to consider whether, in your particular case, this is incidental music or whether it is a licensable activity. If in doubt, discuss this with the licensing team.

### **BOX G: Performances of dance**

Morris dancing or any dancing of a similar nature is not licensable, nor is the performance of unamplified live music as an integral part of dancing.

### **BOX H: Entertainment of a similar description to that falling within live music, recorded music or performance of dance**

### **BOX I: Provision of late night refreshment**

This covers the supply of hot food or drink between 23.00hrs and 05.00hrs, although there are several exemptions. Hot drinks consisting of or containing alcohol should be authorised under the supply of alcohol rather than late night refreshment.

Free hot food or drink is not licensable, nor is that supplied by a registered charity or by a person authorised by a registered charity.

### **BOX J: Supply of alcohol**

If you wish people to be able to consume alcohol on the premises, please tick 'on'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off'. If you wish people to be able to do both, please tick 'both'.

### **Designated premises supervisor**

If you intend to sell alcohol, you should give details of the person who will be the Designated Premises Supervisor (DPS). The DPS will need to hold a personal licence. There can only be one DPS on a premises, but they can authorise any number of people to sell alcohol on their behalf. You will also need to submit a DPS consent form completed by the person who is to undertake this role (you will need to do this even if this is the same person who is applying for the premises licence), to confirm that he/she is happy to take on this role.

## **BOX K**

Here you are asked to give information about anything taking place at the premises or ancillary to its use, which may give rise to concern in respect of children, for example nudity/semi-nudity, films for restricted age groups or gambling. You do not need to complete this section if it does not apply to your premises, but rather than leave the box 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 L: Hours the premises are open to the public**

While this may include times where no licensable activities take place, it is important for responsible authorities, interested parties and the licensing authority to know how long your premises is open in addition to the times where licensable activities take place. For example, it might be necessary and proportionate to ensure that licensable activities finish in good time before the premises closes to the public to allow for orderly departure.

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.

## **BOX M: Steps to promote the licensing objectives**

Here you are asked to describe the steps you intend to take to promote the four licensing objectives:

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

You should already be abiding by relevant legislation in other areas, and your starting point should be compliance with these requirements.

## **Part 4: Signatures**

The application form must be signed. An applicant's agent (e.g. solicitor) may sign the form on their behalf, provided that they have actual authority to do so. Where there is more than one applicant, all applicants or their respective agents, must sign the application form.

### **Responsible authorities**

You are required to give copies of the application and all accompanying documentation to the responsible authorities on the same day that the application is given to the licensing authority. (See separate list of responsible authorities).

## **Guidance for submitting plans with applications**

Unless previously agreed with the council, the plan will be in standard scale (1:100).  
The plan must show

- The extent of the boundary of the building, if relevant, and any external and internal walls, and if different, the perimeter of the premises
- The location of points of access to and egress from the premises (including escape routes)
- In a case where the premises is used for more than one licensable activity, the area within the premises used for each activity
- Fixed structures (including furniture) or similar objects temporarily in a fixed location (but not furniture) which may impact on the ability of individuals on the premises to use exits or escape routes without impediment
- Where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor
- Where the premises includes any steps, stairs, elevators or lifts, their location
- Where the premises includes any room or rooms containing public conveniences, their location
- The location and type of any fire safety and other safety equipment
- The location of any kitchen on the premises

Please send your application to: Licensing Team, North Somerset Council,  
Walliscote Grove Road, Weston Super Mare, BS23 1UJ

Please see our Licensing Policy for further information.

The web page will be updated regularly, but if you have any questions in the meantime, please contact Licensing Team, on 01934 426800.