

Administrative Guidelines for Existing Premises Licence Holders

Composition of a premises licence

A premises licence is provided in two separate parts - the main licence and a summary document.

The main licence (or a certified copy) must be kept at the premises to which it relates. This should be kept in a safe and secure place under the control of the licence holder or a person nominated for that purpose. The summary document (or a certified copy) must be prominently displayed at/on the premises concerned. Please note that failure to display the summary and/or keep the main licence on the premises is an offence.

Scope of a premises licence

A premises licence simply allows specified licensable activities to take place at the premises during the times and on the dates specified therein. The licence does not imply approval under any other legislation or activity controlled or regulated by this or any other authority.

Surrender of premises licence

If a premises licence holder no longer wishes to hold the premises licence they must return it to us with formal notification to this effect.

Theft, loss and so on of premises licence documents

If any part of the premises licence documentation is lost, stolen, damaged and/or destroyed, a premises licence holder may apply to the original 'issuing authority' for a copy. A fee is payable for document replacement.

Please note that we can only issue replacement documentation if satisfied that the licence or summary has been lost, stolen, damaged or destroyed. In the case of documents that are lost or stolen, we can only issue replacement documents if the loss or theft has been reported to the police.

Duty to notify certain changes

Where a licence holder changes their name and/or address, the licence holder must notify us of the change(s) as soon as is reasonably practicable. Failure to do so is an offence.

Similarly, any change of name or address of the designated premises supervisor must also be notified to us as soon as is reasonably practicable. Failure to do so is an offence.

Variation and transfer of premises licence

The holder of a premises licence may at any time apply to vary the licence (e.g. vary permitted hours, vary the type of entertainment provided etc.).

If the licence authorises the supply of alcohol, the holder of a premises licence may also apply at any time to vary the licence to specify a new individual as the premises supervisor (with their consent).

Subject to the consent of the existing licence holder, any person of prescribed description may also apply for the transfer of the premises licence to him/her.

Application forms for variation and transfer are available on request. Please note that a fee is payable for any such application.

Review of premises licence

Under the provisions of the Licensing Act 2003, any 'interested party' or 'responsible authority' may apply for a review of a premises licence at any time. Applications for review may result in a hearing of our Licensing Sub Committee and may subsequently result in modification, suspension and/or revocation of the licence.

The 'responsible authorities' include the Police, Fire Authority, the Health & Safety Authority, Environmental Health, Trading Standards, Planning and Social Services.

'Interested parties' include local residents and businesses and/or their representatives.

Duty to produce licence

A police constable or authorised officer of the licensing authority may require a premises licence holder to produce the premises licence for examination. Failure to produce the licence (or certified copy) is an offence.

Duty to comply with licence conditions

Proper operation of the licence obviously relies on compliance with its terms and conditions, which are legally enforceable. It is strongly recommended that licence holders familiarise themselves with them. Failure to comply with the licence conditions may result in legal action and/or review of the licence.

Annual payments of fees

For premises licences that continue in force indefinitely, there is an annual fee payment that must be made to this authority in respect of the licence. Whilst we will endeavour to contact our premises licence holders before the due date, the fee will become due on the 12 monthly anniversary of the date of issue.

The amount payable as an annual fee is based upon the non-domestic rateable value of the premises concerned. The current band of annual fees can be found on our fees and charges lists (see link on the right)

NB: The requirement to pay an annual fee does not apply to any school or college that holds a premises licence permitting only the provision of regulated entertainment, where the entertainment is provided for and on behalf of the purposes of the institution.

Similarly, the requirement to pay an annual fee does not apply to premises that hold a premises licence permitting only the provision of regulated entertainment and are or form part of a church hall, chapel hall, village hall, parish hall, community hall or other similar building.

Renewal of a premises licence

Unless a licence has been requested for a limited period, a premises licence remains valid indefinitely, unless it is surrendered or revoked. Accordingly, subject to an annual payment (see above), there should be no need to renew a premises licence.

Lapse of a premises licence

A premises licence will lapse in the event of the death of the holder of the premises licence or upon the licence holder becoming mentally incapable or financially insolvent.