



GUIDANCE FOR APPLICANTS

For an application to specify an individual as a premises supervisor (DPS) on a premises licence

under Sections 37 to 40 of the

Licensing Act 2003

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GUIDANCE FOR APPLICANTS

Specification of a Premises Supervisor (DPS) under the Licensing Act 2003

1. INTRODUCTION

This guidance is for premises licence holders (where the supply of alcohol is authorised) making application to vary a premises licence to specify a DPS in accordance with sections 37 to 40 of the Licensing Act 2003.

The procedure applies to licence holders specifying the nominated individual personal licence holder as the premises supervisor. Only one individual may be specified as a DPS at any premises at any one time.

A designated premises supervisor is a specified personal licence holder who has consented to authorise the sale or supply of alcohol and normally will be in control of the premises day-to-day. This ensures there is a single point of accountability within the premises should there be problems and that person takes responsibility in ensuring that licensable activities are conducted lawfully and responsibly.

This procedure **DOES NOT APPLY** for community premises wishing to make application to dis-apply mandatory conditions relating to alcohol sales.

2. MAKING AN APPLICATION

You may make application to specify a premises supervisor at any time. Unless otherwise stated, all supporting documents must be original, as photocopies will **NOT** be accepted.

Please note that applications that do not meet the criteria detailed below may be deemed invalid and/or rejected.

Electronic applications will be accepted provided there is no missing or incorrect information that might cause us to “hold” the application pending receipt of further information. We will consider the application as “given” when we receive the accompanying fee.

We will send received electronic applications to the police. If submitted in writing then you must send a copy of your application to the police and notify the existing DPS (if applicable) of your application.

(a) Application Form

Applications must be made on the prescribed form.

(b) Prescribed Documents

(1) Licence Documents

The application must be accompanied by the premises licence (or relevant part). If not available, you must submit reasons for the failure to provide the documents.

2) Consent to be specified as the DPS

A signed consent from the proposed DPS stating that they are willing to be specified as the point of accountability for that licensed premises.

(c) Fee(s) & Charges

The application must be accompanied by the prescribed fee of £23.00.

NB: Those specifying the DPS on an original application for a premises licence do not need to pay a fee as it is included in the premises licence application fee.

All cheques and/or postal orders should be made payable to RUSHMOOR BOROUGH COUNCIL.

3. WHAT HAPPENS NEXT

Once received your application will be allocated to one of the Council's licensing officers. The licensing officer will check to ensure that the application is valid and has been satisfactorily completed i.e. all the relevant information and documentation has been provided.

(a) What will happen if we identify a problem?

If there is a relatively minor problem with the application, the licensing officer may contact you for further information or may return the application (or part of it) to you for your attention as may be appropriate. Where there is a fundamental error, the application may be rejected.

(b) What happens following validation?

On receipt of a valid application the chief officer of police will consider whether the proposed application could, in exceptional circumstances, undermine the crime

prevention objective. The police have 14 days after receiving the application to give an objection notice.

(c) Determination of the application

We will hold a hearing to determine the application if a valid police objection notice is received. If no objection is received we will arrange for the premises licence to be varied to specify the new premises supervisor.

(d) How long will it take us to determine your application?

We aim to process applications within a period of 28 days from receipt.

(e) What happens if your application is refused?

If the application is deemed refused following a hearing to consider the police objection notice we will inform you of the decision in writing. This will be provided together with the reason(s) for refusal and your rights of appeal. In these cases, there is no fee refund.

(f) What happens if your application is granted?

Where an application to vary a DPS is granted, we will advise you by notice of grant. We will also amend your premises licence documents in light of the approved variation and return these to you with the grant notice.

You have a legal duty to notify the previous premises supervisor of any replacement following a successful application to specify a new supervisor.