



GUIDANCE NOTES ON APPLICATIONS FOR PREMISES LICENCES UNDER THE LICENSING ACT 2003

IMPORTANT NOTE

This guide only relates to applications for new Premises Licences. It is not intended to be a comprehensive document and does not refer to other types of applications. The Council cannot accept any liability for any errors or inaccuracies.

More information about the Licensing Act 2003 and the necessary forms can be found

- on the Home Office website at:
<http://www.homeoffice.gov.uk/drugs/alcohol/alcohol-licences/>
- the Council's own website at:
<http://www.ambervalley.gov.uk/business/licences-and-street-trading/liquor-licences-/application-forms.aspx>

If you have any queries please feel free to contact the Council's Licensing Section on 01773 570222 or take your own legal advice.

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Introduction

Premises Licences are needed for buildings, parts of buildings or land where any licensable activity is to take place.

They last indefinitely unless they are issued for a shorter period or are revoked by the Council or the Courts. This means that you can apply for a premises licence either on a permanent basis or for any period you like (even for just one day).

Who can apply?

There are a number of persons and bodies which can apply. The main ones are:

- Any person 18 years of age or over who is running or proposing to run a business involving the use of premises for licensable activities
- A company
- A partnership
- A recognised club
- A charity
- An educational establishment or college

Note

If more than one person is eligible to apply, it is a matter for those concerned to decide who should make the application. (eg both a pub owning company and the tenant would be eligible to apply)

Joint applications are possible, but if granted all future applications (eg for variation) would have to be made jointly.

How do I apply for a Premises Licence?

There are 3 steps:

- Making the Application
- Notifying the Responsible Authorities
- Advertising your application

1 The Application

You need to send to the Council:

- A completed **Application for a Premises Licence**. You will also need to include an Operating Schedule to explain how you will meet the licensing objectives (see Appendix 1 for guidance on completing the **Application for a Premises Licence** and Appendix 2 regarding operating schedules).
- A plan (in a scale of 1 cm – 100 cm unless a different scale is agreed in advance with the Council) which must give certain information (see Appendix 3).
- The fee (Appendix 4)
- If you intend to sell alcohol a **Consent** form signed by the person who will be your Designated Premises Supervisor ¹.

Note

- 1 If you intend to sell alcohol, a Designated Premises Supervisor must be appointed. The name and address needs to be set out in the application form.

2 Your application and all the accompanying documents must be sent to EACH of the responsible authorities ¹ on the same day as you make your application.

Note

1. The list of the Responsible authorities and their addresses is set out in appendix 5.

3 You must also advertise your application as follows:

- You must prominently display a suitable notice¹ in at least one place or on the site of the premises where it can be conveniently read from the exterior of the premises for not less than **28 consecutive days** following the date of your application
- If the premises cover an area of more than 50 square metres, additional notices must be displayed every 50 metres along the perimeter of the premises which abut a highway for the same period of time **AND**
- You must publish a notice in a newspaper circulating in the area of the premises² not more than **10 working days** after you make your application

Notes

- 1 The notice to be displayed on the premises must be:
- a) A4 size or larger
 - b) Pale blue colour
 - c) Printed legibly in ink or in large black type (at least Font size 16)
- 2 The notice in the newspaper must contain a statement setting out the licensable activities being proposed.
- It must also contain:
- a) the name of the applicant
 - b) the postal address of the premises (or if there is no postal address, an accurate description of the location of the premises)
 - c) the postal address or worldwide web address where the Council keeps the register and where the record of the application may be inspected
 - d) the dates between which an interested party and responsible authority may make representations to the Council
 - e) a statement that representations must be made in writing
 - f) a statement that it is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence

An example of the notice can be found on the Council's website.

The Council will also advertise your application:

By publishing a notice on its website for a period of 28 days following the date of the application. It will contain the same information as the notice you have to display.

What happens next?

The Council will check your application to make sure that it is complete and the correct fee has been paid. The Council may reject the application and return it to you if it has been wrongly made or is incomplete¹.

Note

1 Examples of errors which may lead to the forms being returned are:

- incorrect fee
- forms not signed
- enclosures missing
- an obvious omission (eg if alcohol is to be sold, the omission of a designated premises supervisor)

The Council is unlikely to return the forms if the operating schedule section is completed inadequately (unless there is an obvious mistake). A responsible authority may well question any weaknesses in any operating schedule.

If no Responsible Authority or other person makes a relevant objection to your application within 28 days, the Council will grant the new Premises Licence as requested in the application.

If objections are received, then the Council will arrange a hearing to consider the matter. You will be notified of the date and time.

If the Council grants the Premises Licence, it will send a copy of the Licence to the applicant together with a Summary of the conditions. The Licence must be kept for inspection and the Summary, or a certified copy, must be displayed in a prominent position in the premises.

Don't forget!

If you intend to sell or supply alcohol one or more people need to hold Personal Licences

APPENDIX 1 – COMPLETING THE APPLICATION FORM FOR A PREMISES LICENCE

Part 1 - Premises details.

Insert the address and postcode

Non Domestic Rateable value. The rateable value can be found on the top right hand corner of the Non Domestic rates Bill. If you don't have this information you can contact the Council on 01773 – 570222 and ask for the Non Domestic Rates section

Part 2 – Applicant details

Tick one box only and then insert your details in the appropriate section on pages 2 and 3.

Part 3 – Operating schedule

General description of premises. This need only be a brief outline of your premises (eg public house)

[Before completing the boxes read the guidance notes at the back of the form]

Tick all the check boxes you need and then complete the relevant boxes (A – M).

Box K (children)

Read Guidance note 9 at the back of the form

[The sort of issues to think about here include:

lap or pole dancing; striptease; nudity; adult comedy; adult videos or films; gambling machines and in some cases a mainly adult clientele]

If there are no such proposals enter 'None'

Box L

It is important for you to think about the times your premises will be open to the public for non licensable activities (eg if you want your premises to open 1 hour before you sell alcohol and 1 hour after you stop selling it, put the additional times here)

Box M – Steps which it is proposed to take to promote the licensing objectives

This is the most difficult part of the form and the one we cannot give much guidance on.

Having decided what licensable activities you want to hold, you need to think how you will comply with the four licensing objectives:

- The Prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance; and
- The Protection of Children from Harm

We would recommend that you

- look through Appendix 2 (taken from the Council's Statement of Licensing Policy) which contains a list of matters you might consider. If any of them apply, set out in the appropriate box how you intend to deal with the particular issue.
- consult one or more of the Responsible Authorities before making your application to find out if there are any concerns
- consult neighbours before making your application to find out if there are any concerns (because these are the people who will be Interested Parties and can object to your application)
- contact the Licensing Section at the Council for help

Part 4

The form needs to be signed and dated by

- the applicant, where the applicant is an individual
- both applicants, if the application is a joint application
- a person with the capacity to bind the applicant, where the applicant is a company, partnership or unincorporated association (eg a director, a partner etc)
- the applicant's agent (eg a solicitor) provided that they have authority to sign the form

APPENDIX 2 - OPERATING SCHEDULES

Contents of this part:

- What is an Operating Schedule?
- Format of an Operating Schedule
- Guidance on filling out an Operating Schedule

What is an Operating Schedule?

1 *An Operating Schedule (for Premises Licences) is a document in the prescribed form which includes a statement of the following matters—*

- the relevant licensable activities
- the times during which it is proposed that the relevant licensable activities are to take place
- any other times during which it is proposed that the premises are to be open to the public
- where the applicant wishes the licence to have effect for a limited period, that period
- where alcohol is to be supplied, prescribed information in respect of the Designated Premises Supervisor
- the steps which it is proposed to take to promote the licensing objectives

such other matters as may be prescribed

The significance of an Operating Schedule is that if the application for the licence is granted, it will be incorporated into the licence itself and will set out the permitted activities and the limitations on them. **The times and other conditions stated in your Operating Schedule will be binding.**

Format of an Operating Schedule

The relevant application forms each contain a section for the Operating Schedule. The information required is provided by entering information in particular boxes. You don't need to complete a separate document unless there is insufficient room on the application form.

Guidance on completing Operating Schedules

The layout of the application forms prompts you to provide most of the information which is required to be included in an Operating Schedule.

Each applicant will have different requirements and each Operating Schedule will be different but the following notes may assist:

Licensable activities

Don't forget that you are only applying for one Premises Licence which lasts indefinitely. Consequently you need to list all of the activities you realistically think you will need by ticking the relevant boxes (if you miss any you will need to apply for a variation at a later date).

The times of licensable activities

Enter each of the days and the start and finishing times (using the 24 hour clock eg 14.00 instead of 2.00 pm) when you want to hold licensable activities/qualifying club activities.

Indoors/outdoors

You are prompted to indicate whether the activities will take place indoors, outdoors or both. You need to think what your normal requirements are and what they will be throughout the year.

Seasonal variations/non standard times

Most of your requirements will be of a regular nature. If you have any unusual requirements (eg you want to open one hour later in June; want to hold indoor discos only in December or want to have an outside dance on May 1st) complete the appropriate boxes.

Times during which the premises are to be open to the public

The times you have entered earlier in the application form relate to the times you intend to hold the relevant licensable activities/qualifying club activities. You may wish to be open for slightly longer (for non licensable activities)¹. If so insert the different times in the appropriate box.

Note

- 1 The most obvious example is 'drinking up time'. As far as alcohol is concerned, it is the sale or supply of alcohol which is the licensable activity – not its consumption. Alcohol can quite legally be consumed after 'licensed hours'.

All Premises Licences (except those which have been converted) will not have reference to 'drinking up time'.

If you want to be able to refer your customers to a time when the premises will be closed to the public (ie so that you can ask them to leave) enter the later times in the box.

The times stated in your Operating Schedule will be binding.

Designated Premises Supervisor

A Designated Premises Supervisor is needed if you are applying for a Premises Licence (but not for a Club Premises Certificate).

Steps which it is proposed to take to promote the licensing objectives

This is the most difficult part of the form and the one we cannot give much guidance on.

Having decided what licensable activities you want to hold, you need to think how you will comply with the four licensing objectives:

- **The Prevention of Crime and Disorder**
- **Public Safety**
- **The Prevention of Public Nuisance; and**
- **The Protection of Children from Harm**

We would recommend that you

- look through the notes below (taken from the Council's Statement of Licensing Policy) which contains a list of matters you might consider. If any of them apply, set out in the appropriate box how you intend to deal with the particular issue.
- consult one or more of the Responsible Authorities before making your application to find out if there are any concerns
- consult neighbours before making your application to find out if there are any concerns (because these are the people who will be Interested Parties and can object to your application)
- contact the Licensing Section at the Council for help

MATTERS FOR CONSIDERATION BY APPLICANTS WHEN PREPARING OPERATING SCHEDULES

This Appendix is included to assist Applicants with the preparation of their Operating Schedules. The contents of this Appendix are not prescriptive and not all of the issues listed will necessarily apply to all premises. Similarly, there may be other relevant issues which are not listed in this Appendix.

Applicants should consider all relevant issues which apply to them and, where appropriate, address them in their Operating Schedules.

In order to minimise problems and the necessity for hearings, applicants are encouraged to consult with responsible authorities when they are preparing their Operating Schedules.

Crime and Disorder:

- (a) The applicant's intention to engage with recognised local liaison groups, such as pub watch, and/or other groups/organisations (e.g. the Council, Derbyshire Constabulary, the Community Safety Partnership and other agencies) working to promote the licensing objectives in the Borough. Applicants might express their intention to adopt reasonable safeguards promoted by the recognised groups/organisations.

Note

Applicants will be expected to join and participate in local pub watch schemes.

- (b) Acknowledgement and implementation of the Code of Practice produced by the Portman Group which seeks to ensure that drinks are packaged and promoted in a socially responsible manner and only to those who are 18 years old or older
- (c) Provision of CCTV for inside and in the vicinity of the premises and recording equipment. Details might include:
- (d) the type or specification of the cameras, the number of cameras, the precise siting of each camera and the proposals for maintaining the equipment and retaining recordings

Note

If the Police produce sufficient relevant evidence of crime and disorder issues in respect of any premises (including late night refreshment premises) the Council will consider imposing appropriate conditions relating to the provision of CCTV at such premises.

- (e) Radio network communication and the procedure for the implementation and operation of the radio network system;
- (f) Search facilities, including, as appropriate, metal detection equipment for concealed weapons etc.
- (g) Use of safety/shatter-resistant glasses/receptacles;
- (h) Any proposals to prevent the taking of alcoholic and other drinks in open containers from the premises.

Note

If the Police produce sufficient evidence of areas where crime and disorder is a particular problem, the Council will consider imposing a condition regulating the use of containers and the provision of bottled beverages only in plastic bottles (where available from the manufacturers).

- (i) Responsible pricing policies for alcoholic drinks
- (j) Promotions and events such as happy hours

Note

The Council will not normally seek to restrict pricing of alcoholic drinks and drinks promotions. If the Council receives evidence of irresponsible drinks promotions with a clear link between sales promotions and discounting and the levels of crime and disorder, the Council will consider imposing a restriction. Examples of drinks promotions might include happy hours, unlimited alcoholic drink for a fixed fee and double measures for the price of a single.

- (k) Measures which the licensee will address regarding the problems of illegal substances on the premises. The licensee should have regard to local policies in dealing with such illegal substances.

Note

The Council will expect licensees of venues likely to be affected by drugs to take all reasonable steps to prevent the entry of drugs into their premises, to take appropriate steps to prevent drugs changing hands within the premises and to take practical measures to minimise danger to their customers as a result of drugs misuse. Licensees will be expected to work with the Council, Police and the Drug Action Team (DAT) to develop a drug policy for their venue combating drug dealing and use and ensuring the safety of their venue. In particular the Council will expect licensees to follow the guidance and implement the recommendations contained in guidance produced by the Home Office, Department of Health and the DCMS. The latest Guide is listed in Appendix 4.

- (l) Proof of age monitoring arrangements (for example the PASS accreditation scheme)
- (m) Signage and crime prevention notices
- (n) Door supervision including the number of Door Supervisors, details of their duties and details of the days and times they will be on duty. Registration and identity details will also be required.

Note

All Door Supervisors employed at licensed premises must be licensed by the Security Industry Authority. Representations from the Police will be taken into account and the Council will consider imposing conditions requiring door supervisors to be used on any licensed premises including late night refreshment premises.

- (o) Capacity limits and procedures for ensuring they are not exceeded. The applicant needs to be mindful of the capacity limits of the licensed premises.
- (p) Dispersal and queuing Policy (indicating how customers will be encouraged to enter and leave the premises in an orderly manner.)

Note

Representations from the Police will be taken into account and, if appropriate, the Council will consider imposing conditions requiring the use of door supervisors on any licensed premises including late night refreshment premises to maintain orderly queuing outside premises prone to such queuing.

- (q) Incident Management (indicating the type of incident which will be reported to the Police and the arrangements for doing so).

- (r) The layout of the premises (including, for example the ratio of tables and chairs to customers based on the capacity of the premises).
- (s) Any other relevant matter(s)

Public Safety

- (a) The relevance to and, if applicable, the implementation of Health & Safety at Work, Fire Precautions and other safety legislation
- (b) Provision of competent personnel
- (c) Maintenance of electrical, fire detection/alarm, emergency lighting, gas appliances and other relevant plant and systems
- (d) Capacity limits – and procedures for ensuring they are not exceeded; The applicant needs to be mindful of the capacity limits of the licensed premises
- (e) The facilities, arrangements and procedures to minimise the harmful effects of drug misuse
- (f) The arrangements for enabling the safe evacuation of customers from the premises in the event of an emergency, and the procedures in place for making customers aware of the arrangements. Particular regard should be given to the needs of disabled persons.
- (g) Escape routes and their maintenance
- (h) Safety Checks and risk assessments
- (i) Curtains and upholstery
- (j) Procedures for outlining the actions to be taken in the event of a fire
- (k) Access for emergency vehicles
- (l) Procedures for first aid provision – applicants should consider putting in the operating schedule the circumstances in which it would be administered, including who has the responsibility for visitors, how and when the emergency services are contacted and who completes the incident book.
- (m) Emergency lighting
- (n) Proposals for special effects e.g. lasers, dry-ice, smoke effect or internal fireworks
- (o) Any other relevant matter(s).

Public Nuisance

1 Noise

- (a) Music, singing and speech, both amplified and non-amplified, originating from inside buildings, particularly bass noise; this noise is particularly important where the building is structurally attached to noise-sensitive premises or where it is acoustically weak, for example, marquee, conservatories, open-air parties and barbeques;
- (b) Music, singing and speech, both amplified and non-amplified, originating from outside buildings, particularly bass noise;
- (c) Activities within gardens and play areas, particularly from transportable play equipment and associated pumps and generators;
- (d) Rowdy behaviour, particularly at the end of events or at closing time;
- (e) Use of car parks and access roads, both pedestrian and vehicular, for example, use of warning horns, slamming doors, car radios, car alarms, excessive engine-revving, prolonged idling, screeching tyres;
- (f) The behaviour of taxis and mini-cabs;
- (g) Delivery, collection, and storage activities, particularly the times between which deliveries to and from the site will be made, and the times when bottle banks will be used;
- (h) The location and use of plant, machinery and equipment, for example, ventilation units, air conditioning systems, kitchen odour extraction systems, chiller units and beer pumps;

- (i) Arrangements for the ventilation and/or cooling of the building, particularly where it is necessary to close windows to reduce noise emissions;
- (j) Skittle alleys and other indoor/outdoor games, particularly where buildings are structurally attached.

2 Odour

- (a) The effect of cooking odours on nearby premises, particularly where deep fat frying or large amounts of boiling are to be carried out. Kitchen extraction systems should ensure that wherever possible, cooking odours are conveyed to a point at least 1 metre above the main roof ridge level to allow their proper and even dispersal. The vent or ducting should discharge vertically upwards, and not be fitted with any restriction such as a plate, cap or cowl at the final opening. All associated equipment, plant or processes, including the replacement/regeneration of filters, should be maintained in effective working order;
- (b) A full description of the arrangements for dealing with cooking odours should be provided.

3 Lighting

- (a) The location, intensity of illumination, angle and direction of the beam of light should be considered so as to minimise light trespass and glare off-site.

4 Litter

- (a) The disposal of flyers, fly posters and, in particular, food packaging. Details of the refuse facilities to be provided for both the business itself, and for its customers, should be provided. Receptacles should be emptied as necessary and maintained in good working order.

Children

- 1 The Council recognises the great variety of premises for which licences may be sought, for instance theatres, cinemas, restaurants, pubs, nightclubs, cafes, takeaways, community halls and schools.
- 2 The Council will not impose conditions that restrict access by children to any type of premises unless it is considered necessary to protect them from harm. Premises which **could** give rise for concern are, for example:
 - (a) where entertainment or services of an adult or sexual nature are commonly provided

Note

It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. However, such entertainment or services, for example, would generally include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.

- (b) where there have been convictions of members of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking
- (c) with a known association with drug taking or dealing
- (d) where there is a strong element of gambling on the premises (but not, for example, the simple presence of a small number of cash prize gaming machines)

Note

In appropriate cases, applicants might wish to consider placing gaming machines near to the bar, so that they can be adequately monitored.

- (e) where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

Note

It is an offence under section 145 of the 2003 Act for an unaccompanied child (under the age of 16 years) to be present in premises primarily or exclusively for the supply or sale of alcohol on those premises. Children must be accompanied by an adult. Unaccompanied children are not permitted on any premises open for the supply of alcohol between 12 midnight and 5.00 am.

- (f) Drinks Promotions (where there is a clear link between the promotions and discounting and the levels of crime and disorder)

- 3 It would be unusual for the Council to completely prohibit access of children from premises. ***If*** relevant representations are received, the Council may use the following options in order to protect children from harm;

- (a) limitations on the hours when children may be present

Note

For any premises, not serving alcohol for consumption on the premises, but where the public are allowed on the premises after 11.00 pm in the evening, there should be a presumption against the presence of children under the age of 12 unaccompanied by adults after that time. Applicants wishing to allow access when preparing operating schedules or variations of those schedules or club operating schedules for the purposes of obtaining or varying a premises licence or club premises certificate should:-

- explain their reasons; and
- outline in detail the steps that they intend to take to protect children from harm on such premises

- (b) age limitations

- (c) limitations or exclusions when certain activities are taking place

- (d) requirements for accompanying adult

Note

Where large numbers of children are likely to be present on licensed premises (for example a children's show or pantomime), the Council will consider attaching a condition requiring an adequate ratio of adults to children in order to ensure the prevention of harm to the children and to ensure public safety. Normally this will be supervised by appropriately qualified, fit and proper persons.

- (e) full prohibition of people under 18 years old from the premises when certain licensable activities are taking place.

- 4 The Council will not impose any condition which requires the admission of children to any premises.
- 5 Where the Council imposes no restriction on access by children, it is for the individual licensee or club to ensure the licensing objectives are observed.
- 6 The Council will liaise with Derbyshire Constabulary and Derbyshire County Council's Trading Standards about the extent of unlawful sale and consumption of alcohol to minors and, as appropriate, will be involved in the development of any strategies to control or prevent these unlawful activities and to pursue prosecutions.

Note

The Council is concerned about the extent of unlawful sale to, and consumption of alcohol by, minors. Applicants should consider setting out their policies to control and prevent these unlawful activities.

- 7 The Council recognises the protection afforded to children under the Protection of Children Act 1999 (hereafter referred to as "the 1999 Act") which places obligations on Child Care Organisations. Additionally, other organisations are able to make use of the scheme set up to support the 1999 Act and the Criminal Records Bureau. The holder of a premises licence, a club premises certificate and premises users must take appropriate steps, including, where necessary, the use of these services to ensure the protection of children from harm.

Note

The Protection of Children Act 1999 defines 'child care organisations' to mean an organisation;

- a) which is concerned with the provision of accommodation of, social services or health care services to children or the supervision of children;
- b) whose activities are regulated by virtue of any prescribed enactment, and
- c) which fulfils such conditions as may be prescribed under 'the 1999 Act'.

Cinemas and Children

In the case of premises giving film exhibitions, the Council expects applicants to include in their operating schedules arrangements for restricting children from viewing age-restricted films classified according to the recommendations of the British Board of Film Classification or other body approved.

Note

The 2003 Act also provides that it is mandatory for a condition to be included in all premises licences and club premises certificates authorising the exhibition of films for the admission of children to the exhibition of any film to be restricted in accordance with the recommendations given to films either by a body designated under section 4 of the Video Recordings Act 1984 – the British Board of Film Classification is the only body which has been so designated – or by the licensing authority itself.

Theatres and Children

Where performances are presented especially for children in theatres, applicants should consider including in their operating schedules:

- (a) The arrangements for restricting children from entertainment including entertainment of an adult or sexual nature.
- (b) Details of the numbers of adult staff to be present, an outline of their duties and their location on the premises are required to ensure the well being of children during an emergency.
- (c) Whether or not standing will be allowed (or whether the audience will be required to be seated.)

APPENDIX 3 - PLANS

All plans must be in a **scale of 1:100** (1 centimetre to 1 metre) unless a different scale is agreed with the Council in advance. The Council will normally insist on plans of the premises being to the standard scale but may be prepared to accept plans of 1:500 for external areas provided that all necessary information is clearly shown. The Council reserves the right to insist on the 1:100 scale when it becomes necessary to do so. This will be appropriate where the original plans do not provide the appropriate level of information and detail as required by the Regulations. In these circumstances a full application will not be considered to have been made until the new plans are provided.

The plan must contain the following information:

- (a) the location of the extent of the boundary of the building, if relevant, and any external and internal walls which comprise the premises, or in which the premises is comprised
- (b) the location of points of access to and egress from the premises
- (c) if different, the location of escape routes from the premises
- (d) where the premises is used for more than one existing licensable activity (or more than one existing qualifying club activity, in the case of a Qualifying Club) the are within the premises for each activity
- (e) in a case where an existing licensable activity (or an existing qualifying club activity, in the case of a Qualifying Club) relates to the supply of alcohol, the location or locations on the premises which is or used for the consumption of alcohol
- (f) 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:
- (g) in a case where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor
- (h) in a case where the premises includes any steps, stairs, elevators or lifts, the location of those steps, stairs, elevators or lifts.
- (i) in a case where the premises includes any room or rooms containing public conveniences, the location of the room or rooms
- (j) the location and type of any safety and any other safety equipment including, if applicable, marine safety equipment; and
- (k) the location of a kitchen, if any, on the premises

APPENDIX 4 FEES

Premises Licences

Unless the premises are exempt, there will be an application fee payable and, in each subsequent year, an annual fee

Fees will be charged according to the following rateable value bands:-

Band	A	B	C	D	E
Non domestic rateable value	No rateable value - £4,300	£4,301-£33,000	£33,001-£87,000	£87,001-£125,000	£125,001 and over

A) Exemptions

NO fee is payable if the application for a Premises Licence is **ONLY** for regulated entertainment in respect of premises of a:

- school or college premises and the entertainment is to be carried out for the purposes of that educational institution
- church hall, chapel hall or other similar building
- village hall, parish hall, community hall or other similar building

NO annual fee becomes payable if any of the exemptions above apply on the date the annual payment is due.

Applications for Premises Licences and Variations of Premises Licences

The fee payable is the total of all of the following:

- the application fee
- an additional fee (if 5000 people or more will be on the premises at any one time)

The application fee

If you are applying for the grant or variation of a Premises Licence and the use of your premises is exclusively or primarily for the supply of alcohol for consumption on the premises the application fee will be:

A	B	C	D	E
£100	£190	£315	£900	£1905

If you are applying for a the grant or variation of a Premises Licence and the use of your premises is not exclusively or primarily for the consumption of alcohol on the premises the application fee will be:

A	B	C	D	E
£100	£190	£315	£450	£635

Additional fee (payable for larges attendances - normally for outdoor events only)*

Note

* An additional fee will not usually relate to an indoor event. The regulations are set out in the Appendix. No additional fee will be payable if your existing licence already authorises large numbers of people to be on the premises.

If the number of people on your premises at any one time falls within any of the bands below, add the following additional fee:-

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

Annual fee for Premises Licences

This becomes payable on each anniversary of the grant of the Premises Licence. An additional fee is also payable if the number of people who may be allowed onto the premises at any one time is 5000 or more.

If you the use of your premises is exclusively or primarily for the supply of alcohol for consumption on the premises the annual fee will be:

A	B	C	D	E
£70	£180	£295	£640	£1050

In all other cases the annual fee will be:

A	B	C	D	E
£70	£180	£295	£320	£350

Additional annual fee for Premises Licences (normally for outdoor events only)*

Note

* An additional annual fee will not usually relate to an indoor event. The regulations are set out in the Appendix.

The additional annual fee has to be added to the annual fee where the number of persons a licence holder may allow on the premises at any one time is 5000 or more.

Number	Additional Fee
5,000 – 9,999	£500
10,000 – 14,999	£1,000
15,000 – 19,999	£2,000
20,000 – 29,999	£4,000
30,000 – 39,999	£8,000
40,000 – 49,999	£12,000
50,000 – 59,999	£16,000
60,000 – 69,999	£20,000
70,000 – 79,999	£24,000

80,000 – 89,999	£28,000
90,000 and over	£32,000

APPENDIX – Additional fees

(see regulations 4(5) of the Licensing Act 2003 (Fees) Regulations 2005)

Applications for Premises Licences

[There is no additional fee] where the premises in respect of which the application has been made:-

- (a) is a structure which is not a vehicle, vessel or moveable structure; and
- (b) has been constructed or structurally altered for the purpose, or for purposes which include the purpose, of enabling –
 - (i) the premises to be used for the existing licensable activities the existing licence or licences authorises or authorise,
 - (ii) the premises to be modified temporarily from time to time, if relevant, for the premises to be used for the existing licensable activities referred to in the existing licence or licences;
 - (iii) at least the number of persons the applicant proposes should, during the times when the licence authorises licensable activities to take place on the premises, be allowed on the premises, to be allowed on the premises at such times, and
 - (iv) the premises to be used in a manner which is not inconsistent with the operating schedule accompanying the application.

Annual Fees for Premises Licences

(see regulation 5(5) of the Licensing Act 2003 (Fees) Regulations 2005)

[There is no additional annual fee] where the premises in respect of which the premises licence has effect-

- (a) is a structure which is not a vehicle, vessel or moveable structure; and
- (b) has been constructed or structurally altered for the purpose, or for purposes which include the purpose, of enabling -
 - (i) the premises to be used for the existing licensable activities the existing licence or licences authorises or authorise,
 - (ii) the premises to be modified temporarily from time to time, if relevant, for the premises to be used for the existing licensable activities referred to in the existing licence or licences;
 - (iii) at least the number of persons the applicant proposes should, during the times when the licence authorises licensable activities to take place on the premises, be allowed on the premises, to be allowed on the premises at such times, and
 - (iv) the premises to be used in a manner which is not inconsistent with the licence.

APPENDIX 5 - ADDRESSES AND TELEPHONE NUMBERS:

Amber Valley Borough Council

Licensing Section

(this is the address where the Register is kept and to which all applications and fees should be sent)

Amber Valley Borough Council

Licensing Section

Town Hall

Market Place

Ripley

Derbyshire

DE5 3BT

Tel: 01773 570222

E-mail: licensing@ambervalley.gov.uk

Website: www.ambervalley.gov.uk

Chief Officer of Derbyshire Constabulary

Derbyshire Constabulary

C Divisional Police Headquarters

Beetwell Street

Chesterfield

S40 1QP

Tel: 0300 122 8517

E-mail: northdivlicensing@derbyshire.pnn.police.uk

Applications – Licensing Act 2003

Derbyshire Public Health

Derbyshire Safeguarding Children Board

Derbyshire Trading Standards Service

Chatsworth Hall

Chesterfield Road

Matlock, Derbyshire

DE4 3FW

Tel: 01629 580000

Email: trading.standards@derbyshire.gov.uk

Either:

Amber Valley Borough Council

Environmental Services Department

Health and Safety Section*

Town Hall

Market Place

Ripley

Derbyshire DE5 3BT

Tel: 01773 570222

(*In the vast majority of cases the Council will be the enforcement agency for the Health and Safety at Work Act 1974. If you are in doubt as to whether the Health and Safety Executive should be notified instead please contact the Council's Environmental Services Department on 01773 570222 for advice.)

or

Health and Safety Executive

Kingsley Dunham Centre,

Nicker Hill,

Keyworth,

Nottingham

NG12 5GG

Derbyshire Fire and Rescue Service

East Area Office

Chesterfield Community Fire Station

Braidwood Way

Chesterfield

Derbyshire

S40 2WH

Tel: 01246 223500

E-mail: eastareaadmin@derbys-fire.gov.uk

Amber Valley Borough Council

Environmental Services Department

Pollution Section*

Town Hall

Market Place

Ripley

Derbyshire DE5 3BT

Tel: 01773 570222

Amber Valley Borough Council

Borough Development Department

Development Services Section

Town Hall

Market Place

Ripley

Derbyshire DE5 3BT

Tel: 01773 570222

(*The Health and Safety Executive will be the enforcement agency for manufacturing and industrial premises, schools and most Council and County Council owned premises).

All applications which include the sale of alcohol or late night refreshment must also be forwarded to the Home Office (Immigration Enforcement) at:

Alcohol Licensing Team

Lunar House

40 Wellesley Road

Croydon CR9 2BY

Email: Alcohol@homeoffice.gsi.gov.uk

/Cont'd

To be consulted in respect of vessels only

- i) The Environment Agency
- j) The British Waterways Board
- k) The Maritime and Coastguard Agency

If different from the above the relevant navigation authority/authorities for the place(s) where the vessel is usually moored or berthed or any waters where it is proposed to be navigated at a time when it is used for licensable activities.