

Guidance Notes for Applicants

**Application for the Grant or Variation of a Premises Licence
under the Licensing Act 2003.**

Before completing this form please read the Council's Licensing Policy, the guidance notes at the end of the form, and the Guidance documents issued under Section 182 of the Licensing Act by the Home Office, available at www.homeoffice.gov.uk and the guidance below.

If you are submitting an application electronically online :-

1. Download the application and consent forms using the links on our web site which can be found at <http://www.carmarthenshire.gov.wales/home/business/licensing-permits/alcohol-entertainment/premises-licence/>
2. Submit the completed application form, supporting documents e.g. the premises plan, signed consent form and pay the prescribed application fee (See Page 5 of these notes) using the online service. For the grant of a licence, individual applicants must provide copies of documents demonstrating their eligibility to work. A full list of the acceptable documents is given in guidance note 15 at the end of the application form.
3. The Licensing Section are responsible for forwarding a copy of the application to the responsible authorities where the application has been submitted online.
4. The applicant must place a notice of application on the premises and in the local press, (see page 2).

If you are submitting a hardcopy application :-

1. The completed application and supporting documents e.g plan and fee must be submitted to the Licensing Authority (see page 5 for the fees).
2. The completed application and supporting documents must be sent by the applicant to all the Responsible Authorities (see pages 8-10 for the list of Responsible Authorities). For the grant of a licence individual applicants must provide copies of documents demonstrating their eligibility to work. A full list of the acceptable documents is given in the guidance note 15 at the end of the application form.

The Licensing Authority and the Responsible Authorities should all receive their applications on the same day. For your own benefit you may wish to get a receipt for the delivery of the application or send the application by registered post and keep the receipts as evidence that the applications have been sent.

3. The applicant must place a notice of application on the premises and in the local press, (see page 2).

Once a complete application has been submitted the application procedure is as follows:

- The Licensing Authority will place details of the application on its website.
- Any representations received by the Licensing Authority during the 28 day consultation period will be forwarded to the applicant for their consideration.
- If at the end of the 28 day period there are representations which have not been agreed or dealt with through discussions with the applicant, the application will be referred to the licensing sub committee for consideration. Otherwise the application will be determined by the licensing section at the end of the consultation period.

If you are completing the form by hand please write legibly in **block capitals**. In all cases ensure that your answers are inside the boxes and **written in black ink**. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

Applicants are **strongly encouraged** to consult the Licensing Authority, Responsible Authorities (See Appendix B of the Council's Licensing Policy), local businesses and residents whilst preparing their operating schedules. The Licensing Authority firmly believes that this will assist applicants in identifying potential problems so that they can be addressed before they occur, and allay the fears of such businesses and residents as to the impact of the application.

A pool of sample conditions is available from the licensing section whose contact details appear on page 8.

For further information see the Council's website at www.carmarthenshire.gov.uk or contact this department.

These notes should be read in conjunction with the Notes for guidance which appear at the end of the relevant application form.

Advertisement of applications

In the case of an application for a premises licence or variation of a premises licence, the person making the application shall advertise the application in **two ways**: -

1. Premises Notice

For a period of no less than 28 consecutive days starting on the day after the day on which the application is given to the relevant licensing authority and the responsible authorities, a notice must be displayed, which is: -

- (a) of a size equal or larger than A4,

- (b) of a pale blue colour,
- (c) printed legibly in black ink or typed in black in a font of a size equal to or larger than 16;
- (d) in all cases, prominently at or on the premises to which the application relates, where it can be conveniently read from the exterior of the premises 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.

* The content of the Premises Notice is set out below and a specimen Premises Notice is attached at page 12.

2. Press Notice

A notice must be published: -

- (i) in a local newspaper or, if there is none, in a local newsletter, circular or similar document, circulating in the vicinity of the premises;
- (ii) 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 content of the Press Notice is set out below and a specimen Press Notice is attached at page 11.

Content of the Premises/Press Notice

Both the newspaper advert and the premises notice must contain the following information:-

- (a) a statement of the relevant licensable activities which it is proposed will be carried on, on or from the premises;
- (b) full details of the proposed opening hours of the premises.

The notice shall also state: -

- (a) the name of the applicant;
- (b) the postal address of the premises, if any, or if there is no postal address for the premises a description of those premises sufficient to enable the location and extent of the premises to be identified;
- (c) the postal address and, where applicable, the worldwide web address where the register of the relevant licensing authority is kept and where and when the record of the application may be inspected;
- (d) the date by which a responsible authority or any other person may make representations to the relevant licensing authority;
- (e) that representations shall be made in writing; and

- (f) 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.

Advertisement of applications by Licensing Authority

A summary of the application will be advertised on the Licensing Authority's website.

Plan of Premises

A plan of the premises must accompany the application forms. The plan does not have to be professionally drawn, however the plan and the information contained in it must be clear and legible. Carmarthenshire County Council asks for the plan to be in a scale of 1:100 and to show the following detail:-

- (a) 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;
- (b) the location of points of access to and egress from the premises;
- (c) if different from paragraph (b), the location of escape routes from the premises;
- (d) in a case where the premises is used for more than one existing licensable activity, the area within the premises used for each activity;
- (e) in a case where an existing licensable activity relates to the supply of alcohol, the location or locations on the premises which is or are used for 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 the 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 fire safety and any other safety equipment; and
- (k) the location of a kitchen, if any, on the premises.

The plan may include a legend through which the matters mentioned or referred to above are sufficiently illustrated by the use of symbols on the plan.

Please contact the department to discuss the plan you wish to submit prior to making an application.

Application Fees

Fees for all Licensing Act 2003 permissions have been set by Central Government. The fees are based on the non-domestic rateable value of the premises. These are divided into 5 bands.

Premises and club applications are calculated on the rateable value band of each licensed premises.

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

Each band attracts a different level of application fee.

BAND	FEE
A	£100
B	£190
C	£315
D	£450
E	£635

All fees should accompany your application form otherwise the application will not be processed and you will be advised accordingly.

All cheques should be made payable to Carmarthenshire County Council for the correct amount.

Annual Fees

Once issued a Premises Licence or Club Premises Certificate attracts an annual fee which is payable each year on the anniversary of the granting of the licence. The annual fee level is calculated on the rateable value band of the premises.

BAND	FEE
A	£70
B	£180
C	£295
D	£320
E	£350

Exceptionally Large Events

Number in attendance at any one time	Additional fee
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

Fees payable for other Premises or Club related applications

Theft, loss, etc. of premises licence or summary	£10.50
Notification of change of name or address	£10.50
Application to vary licence to specify individual as premises supervisor	£23.00
Application for transfer of premises licence	£23.00
Application for a Minor Variation to a Premises / Club	£89
Community Premises disapplication of requirement for Designated Premises Supervisor (unless submitted with grant application).	£23
Interim authority notice following death etc. of licence holder	£23.00
Theft, loss etc. of certificate or summary	£10.50
Notification of change of name or alteration of rules of club	£10.50
Change of relevant registered address of club	£10.50
Duty to notify change of name or address	£10.50
Right of freeholder etc. to be notified of licensing matters	£21.00

Surrender of Premises Licence

Applicants are reminded that should they no longer require the premises licence they must either transfer the licence or formally surrender the licence. Further information regarding these processes is available from the Licensing Section.

EXEMPTIONS FROM FEES

These exemptions apply for regulated entertainment only and do not apply if alcohol is sold or supplied and/or late night refreshment is provided at the premises.

No fee shall be payable and accompany the application if certain conditions are satisfied. The conditions referred to are:–

- (a) in a case of a proprietor of an educational institution, in respect of premises that are, or form part of the educational institution:-
 - (i) That the educational institution is a school or a college;
 - and
 - (ii) The provision of regulated entertainment on the premises is carried on by the educational institution for and on behalf of the purposes of the educational institution;
or
- (b) That the premises are or form part of a church hall, chapel hall or other similar building or a village hall, parish hall or community hall or other similar building.

As a public body, we are under a duty to protect the public funds that we administer, and to this end may use the information you have provided on this form for the prevention and detection of fraud. We may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

<p><u>For the Prevention of Public Nuisance</u></p> <p>Environmental Health Practitioner Pollution Section Ammanford Town Hall Iscennen Road Ammanford Carmarthenshire SA18 3BE</p>	<p>Tel No. 01267 234567</p> <p>e-mail: PublicProtection@Carmarthenshire.gov.uk</p>
<p><u>Police Authority</u></p> <p>Licensing Officer Ammanford Police Station Foundry Road Ammanford Carmarthenshire SA18 2LS</p>	<p>Tel No. 101 Ext 26464</p> <p>e-mail: david.bizby@dyfed-powys.pnn.police.uk</p>
<p><u>Fire Authority</u></p> <p>County Commander Mid and West Wales Fire and Rescue Service Carmarthenshire County Command HQ Lime Grove Avenue Carmarthen Carmarthenshire SA31 1SP</p>	<p>Tel No. 0870 6060699</p> <p>e-mail: Mail@Mawwfire.gov.uk</p>
<p><u>Education & Children's Services</u></p> <p>Carmarthen Safeguarding Children Board Manager Carmarthenshire County Council Building 2 St. Davids Park Jobs Well Road Carmarthen Carmarthenshire SA31 3HB</p>	<p>Tel No. 01267 246544</p> <p>e-mail: SocialCare@Carmarthenshire.gov.uk</p>
<p><u>Health Authority</u></p> <p>Chief Executive Hywel Dda Health Board St. Davids Park Jobs Well Road Carmarthen Carmarthenshire SA31 3HB</p>	<p>e-mail: alison.gittins@wales.nhs.uk</p>
<p><u>Home Office Immigration Enforcement</u></p> <p>Home Office Immigration Enforcement Alcohol Licensing Team Lunar House 40 Wellesley Road Croydon CR9 2BY</p>	<p>e-mail: Alcohol@homeoffice.gsi.gov.uk</p>

Applicants for licences in respect of vessels should contact the Licensing Authority for additional information.

Relevant only to those premises that are the responsibility of the Health and Safety Executive

Health and Safety Executive Services Division Ty Myrddin Old Station Road Carmarthen Carmarthenshire SA31 1LP	Tel No. 01267 244230
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Specimen Press Notice

Notice of application for a

**Premises licence/Provisional Statement/Variation.*

*Club Premises Certificate/Variation**

under section *17/29/34 71/84 Licensing Act 2003(see note 1 below).

Name of applicant:

Address of premises:

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It is proposed to **license these premises for/vary the premises licence*

(see note 2 below)

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The full application can be inspected at the Council Offices below on the following days and times: -

Mondays, Tuesdays, Wednesdays and Thursdays 08:45am - 5:00pm;

Fridays 08:45 - 4:30pm.

Representations must be submitted no later than (see note 3 below)

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IN WRITING to: -

Head of Homes & Safer Communities at:

Carmarthenshire County Council

3 Spilman Street

Carmarthen

SA31 1LE

E-mail: PublicProtection@carmarthenshire.gov.uk

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 is not exceeding £5,000.

*Delete as appropriate

- (1) Section 17 – Premises Application;
Section 29 – Provisional Statement;
Section 34 – Premises Variation;
Section 71 – Club Premises Certificate;
Section 84 – Variation of Club Premises Certificate; delete as appropriate
- (2) Briefly describe the activities that you have applied for on the operating schedule in your application, including opening/closing times, or the variation to the existing licensable activities.
- (3) Insert the closing date for making representations, which is 28 consecutive days beginning on the day after the complete application is lodged with the licensing authority and responsible authorities.

SPECIMEN PREMISES NOTICE

**Notice of application for a Premises Licence/Provisional Statement/Variation.
Club Premises Certificate/Variation under section 17/29/34 71/84* of the
Licensing Act 2003.**

Name of applicant:
Address of premises:.....

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**It is proposed to *licence these premises for/vary the premises licence
See Guidance Notes overleaf

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***See Guidance Notes overleaf**

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**WRITING to: -
Head of Homes & Safer Communities at:
Carmarthenshire County Council
3 Spilman Street, Carmarthen
SA31 1LE
E-mail: PublicProtection@carmarthenshire.gov.uk**

**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 is not exceeding £5,000.**

Guidance Notes

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*Delete as appropriate

1. Section 17 – Premises Licence Application;
Section 29 – Provisional Statement;
Section 34 – Premises Variation;
Section 71 – Club Premises Certificate;
Section 84 – Variation of Club Premises Certificate; delete as appropriate
2. Briefly describe the activities that you have applied for on the operating schedule in your application, including opening/closing times, or the variation to the existing licensable activities / conditions of licence.
3. Insert the closing date for representations, which is 28 consecutive days starting on the day after the day on which the application is lodged with the licensing authority.