



Derby City Council

Guidance Notes for the Application of a New/Variation of a Premises Licence/Club Premises Certificate

The Licensing Authority has adopted a Cumulative Impact Policy for the area of the city contained within the Derby inner ring road, to be known as the Derby City Cumulative Impact Zone. If your premises is in this area you must demonstrate on your application what additional measures you will put in place to adhere to this policy.

<https://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/licences/alandentertainmentlicences/dcc-Licensing-Policy-2020.pdf>

1. Application for a premises licence/club premises certificate

1.1 When to use the form

This guidance relates to application forms for premises licences and club premises certificates under the Licensing Act 2003 ('the Act').

A premises licence can authorise the following activities:

- The sale or supply of alcohol.
- The provision of regulated entertainment.
- The provision of late night hot food and drink.

Further information about what activities are licensable is given later in this guidance.

Applications for premises licences within the Derby City area must be made to us. Application forms can be obtained from the Home Office <https://www.gov.uk/government/organisations/home-office> website or from our website <https://www.derby.gov.uk/environmental-health-licensing-trading-standards/licensing/>

1.2 Need more help?

This guidance is intended to help applicants complete the application form. Further information about the Licensing Act 2003 and other sources of help can be found on the Home Office website <https://www.gov.uk/government/organisations/home-office>. We are able to help you with any queries or give advice on how to complete the application. You may also wish to consider other sources of advice such as a relevant trade body, or by engaging professional assistance, such as legal advice.

1.3 Planning Consent

You can apply for a premises licence or club premises certificate without having planning permission. However, you are strongly advised to have the correct planning permission in place before you start running your business. Any hours or activities granted under licensing legislation do not override any planning restrictions. If you have any queries please contact the Planning Department on Derby (01332) 640795 for further advice or by email to DevelopmentControl@derby.gov.uk.

2. Completing the form

In the opening statement, you should insert the name of the applicant or applicants who are applying for a licence for example, 'John Smith' or 'Nice Pub Company'

2.1 Part 1: Premises details

This section asks for the name, address and some other details of the premises. If the premise has no postal address, for example, if the application relates to an event on open land, you should describe the location of the premises or give the Ordnance Survey map reference.

The section also asks for the non-domestic rateable value (NDRV) of the premises. This is not the same as the actual business rates which you pay, but is a value determined by the valuation office, which helps determine business rates. The NDRV, rather than your business rates bill, will determine the fee level to be paid with the licence application and the annual fee thereafter. The NDRV of any premises can be checked on the Valuation Office Agency (VOA) website <https://www.gov.uk/correct-your-business-rates>. NDRV are generally revalued every 5 years.

The initial fees for new/variation premises licences based on rateable value of the premises are:

Premises with a rateable value of £0.00-£4300 Band A - £100.00
Premises with a rateable value of £4301-£33,000 Band B - £190.00
Premises with a rateable value of £33,001-£87,000 Band C - £315.00
Premises with a rateable value of £87,001-£125,000 Band D - £450.00
Premises with a rateable value of £125,000 & over Band E - £635.00

Premises with no rateable value will be charged at Band A.

The annual fees for premises licences based on rateable value are:

Premises with a rateable value of £0.00-£4300 Band A - £70.00
Premises with a rateable value of £4301-£33,000 Band B - £180.00
Premises with a rateable value of £33,001-£87,000 Band C - £295.00

Premises with a rateable value of £87,001-£125,000 Band D - £320.00

Premises with a rateable value of £125,000 & over Band E - £350.00

Premises with no rateable value will be charged at Band A.

In addition, a multiplier will be applied to town and city centre pubs (those in Bands D and E), where they are exclusively or primarily in the business of selling alcohol:

| Band | D (x2) | E (x3) |
|------------------------------------|---------|----------|
| City/town centre pub initial fee | £900.00 | £1905.00 |
| City/town centre pub annual charge | £640.00 | £1050.00 |

No fee is payable for "Community Premises". If the premises are used for regulated entertainment only.

The fee cannot be refunded once the application has been submitted.

2.2 Part 2: Applicant details

This section asks you to state the capacity in which you are applying, for example, as an individual, a limited company, a recognised club, a charity etc. You can only apply in one of these capacities so 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 question. For the majority of applicants, the first box will apply (for example, the application will be carrying on or proposing to carry on a business). An application pursuant to a 'statutory' function' might be an application made by an agency of the government (for example, the passport agency) and an application pursuant to a 'function discharged by virtue of Her Majesty's prerogative' might be an application made by the Government (for example by a Secretary of State).

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

2.3 Part 3: Operating schedule

You should state the date you would like the licence to start. There is a 28 day consultation period. If we receive any valid representations within that time period then the application will go to a committee hearing which will be heard within the next 28 day period and then a 21 day appeal process which may delay your preferred starting date. A premises licence will last indefinitely, unless otherwise stated in the box provided.

2.4 General description of the premises

You are asked to describe the premises. For example the type of premises it is, its general situation and layout and any other information that would 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 for example beer gardens.

2.5 5,000 or more people attending

The question concerning the number of people attending the premises at any one time is necessary to determine whether an additional fee for large events should apply. It is not necessary to complete this box if you think that less than 5,000 people will attend the premises at any one time. The figure relates to the maximum number of people on the licensed premises, including employees, at any one time – not the total number over a period of time. It is important to note that the attendance figure relates to the 'licensed premises' (for example, the licensed area identified in the plan) and not areas that are outside the 'licensed premises'. If you decide that the number will not exceed 5,000, you will be responsible for ensuring that the numbers at any one time do not exceed this figure. If you do exceed it, you could be engaging in an unlicensed activity, which is a criminal offence.

| | |
|---|--|
| <p>Do I have to issue everyone a ticket to prove the numbers on the premises?</p> | <p>It is for you to decide when putting your application together whether you need arrangements for counting the numbers coming in or out. However, it is an offence to make a false declaration in the application, which could lead to a £5,000 fine.</p> |
| <p>I run a country show which has a beer tent. Do I have to put the total number of people at the show in this section?</p> | <p>It depends whether you are licensing the whole premises. As most of the events at such a show are not licensable activities, it should be possible to simply licence the beer tent. In this case, the capacity of the beer tent is what counts and this may be unlikely to trigger the additional fee for large events.</p> |
| <p>Should I include my beer garden on my premises licence?</p> | <p>That is for you to decide. In doing so, you will want to consider whether you might want to use the garden at some point in the future to sell alcohol – perhaps an outdoor bar at a barbecue or possibly through waited drinks service. Also, if you do not include the garden as part of the licensed premises,</p> |

| | |
|--|---|
| | drinks that are bought to be consumed there will count as off supplies and any conditions that relate to off sales would apply. If the beer garden is being provided for consumption of off-supplies, you must include a description of where the place is and its proximity to the premises. |
|--|---|

2.6 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 M that relate to those activities. Only complete the boxes that relate to the activities you have ticked.

You should give timings using the 24-hour 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 you the opportunity to include any, for example, longer hours or additional days during the summer. The space marked 'non standard timings', gives you 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.

| | |
|---|---|
| Under 'non standard timings' can I say that I will open late to cover rugby world cups, Australian rules football, or sporting events overseas that are broadcast late at night or early morning in the UK? | You can include whatever licensable activities you like, but should think about how these might be views by responsible authorities or interested parties. It might be worth talking to your licensing authority and the relevant responsible authorities first to see what conditions, if any, you might offer to reassure any concerns. |
|---|---|

Except in box C (indoor sport) you are asked to indicate whether the activity is taking place indoors, outdoors or both. Indoors may include a tent.

In the space marked ' Please give further details here', please state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

2.7 Boxes A to H (provision of regulated entertainment)

All entertainment must take place in the presence of an audience and is provided for the purpose of entertaining that audience.

You should refer to section 1 of and schedule 1 to the Act or contact us for full details of the definitions of regulated entertainment.

Box A: Plays

No licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.

Box B: Films

No licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.

Box C: Indoor sporting events

No licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.

Box D: Boxing or wrestling entertainment

No licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.

Box E: Live music

No licence permission is required for:

- a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
- a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provide that the audience does not exceed 500*.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace* that is not licensed to sell alcohol on those premises, provide that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell

alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

- a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

Box F: Recorded music

No licence permission required for:

- any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500*.

- any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

- any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Box G: Performances of dance

No licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500*.

Box H: Entertainment of a similar description to that falling within (e) live music, (f) recorded music or (g) performance of dance.

Box I (the provision of late night refreshment)

You should refer to section one and schedule two to the Act or contact us for full details of the definitions of late night refreshment.

This covers the supply of hot food or drink between 11pm and 5am, although there are several exemptions. Hot drinks consisting of, or containing alcohol, should be authorised under the supply of alcohol, rather than late night refreshments.

A hot drink from a vending machine where the customer inserts the payment into the machine and the drink is supplied directly by the machine is not licensable, but would be if a member of staff takes the money or serves the drink.

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

Hot food or hot drink supplied on a vehicle, which is not permanently or temporarily parked at the time is also exempt.

Box J: (sale by retail 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 you wish to be the designated premises supervisor (DPS) under the new licence. The DPS will need to hold a valid personal licence. In many cases, this will be the premises licence holder, but you can choose to name someone else. There is only one DPS for each premise (but any number of personal licence holders) and it is usually, but not necessarily, the person who has day to day responsibility for the premises. You will also need to submit a 'DPS consent form' signed by the person you wish to be your DPS (you 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. The form is prescribed and is to print from our website <https://www.derby.gov.uk/environmental-health-licensing-trading-standards/licensing/> The form should be included with you application.

More information about Personal Licences

<http://www.homeoffice.gov.uk/publications/alcohol-drugs/alcohol/alcohol-licensing/personal-licence-application> or

<https://www.derby.gov.uk/environmental-health-licensing-trading-standards/licensing/>

2.8 Cross activity exemptions

No licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:

- any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;

- any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
- any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
- any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

For further information see the Home Office Revised Guidance issued under section 182 of the Licensing Act 2003.

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

2.9 Exempt entertainment

Premises licences are not required for:

- films for advertisement, information, education, or in museums or art galleries
- vehicles in motion - at a time when the vehicle is not permanently or temporarily parked
- television or radio broadcasts – as long as the programme is live and simultaneous
- activities which involve participation as acts of worship in a religious context
- activities in places of public religious worship
- education – teaching students to perform music or to dance
- the demonstration of a product – for example, a guitar – in a music shop
- the rehearsal of a play or performance of music for a private audience where no charge is made with a view to making a profit.
- morris dancing or similar*.
- Incidental music – the performance of live music or the playing of recorded music if it is incidental to some other activity
- Incidental film- an exhibition of moving pictures if it is incidental to some other activity*.
- a spontaneous performance of music, singing or dancing
- garden fetes – or similar if not being promoted or held for purposes of private gain
- games played in pubs, youth clubs etc. (example pool, darts, and table tennis)
- stand up comedy
- provision of entertainment facilities (example dance floors)

For further information see the Home Office Revised Guidance issued under section 182 of the Licensing Act 2003.

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

Box K

This asks you to give information about anything to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, for example, (but not exclusively) nudity or semi-nudity, films for restricted age groups or gambling. You do not need to give details here of gaming machines. You do not complete this section if it does not apply to your premises, but rather than leave 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 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 will 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 orderly departure. You should indicate whether any of the 'seasonal variations' to and 'non standard timings' for licensable activities would affect the hours the premises are open to the public, in the spaces provided. You may also wish to consider whether there will be any seasonal variations or non-standard timings when the premises will be open to the public at different times for non-licensable activities – for example, opening early to provide breakfasts during the summer holidays.

Box M: Steps to promote the licensing objectives.

The Licensing Authority has adopted a Cumulative Impact Policy for the area of the city contained within the Derby inner ring road, to be known as the Derby City Cumulative Impact Zone. If your premises is in this area you must demonstrate on your application what additional measures you will put in place to adhere to this policy.

<https://www.derby.gov.uk/media/derbycitycouncil/contentassets/documents/licences/alcoholandentertainmentlicences/dcc-Licensing-Policy-2020.pdf>

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.

Do not forget that you should already be abiding by relevant legislation in other areas. Your starting point should be compliance with these requirements. If you feel there is nothing more you need to do, then you might wish to write 'N/A' or something like 'nothing beyond existing health and safety/fire safety etc requirements'. This shows you have considered the objectives and come to a decision that you have nothing additional to do and not that you have forgotten to write anything in this section. Of course, if a responsible authority for one of the licensing objectives considers that you need to do more, they will be able to make representations. If you have concerns, you may find it useful to talk to the relevant responsible authority before completing the form. Further information on responsible authorities is available from the Home Office website <https://www.gov.uk/government/publications/premises-licence-application-forms/www.homeoffice.gov.uk> or from our website <https://www.derby.gov.uk/environmental-health-licensing-trading-standards/licensing/>

If you do intend to take additional measures, you should consider carefully what to include. Anything you put down here is likely to become a condition of your licence. Failure to meet those conditions would constitute an offence under the Act. You should therefore think carefully about adding conditions to ensure that they are achievable, realistic, appropriate, proportionate and within your control. Base your response on a proper, common sense consideration of the risks and what you can realistically do to mitigate them. In the 'general box', list the steps you will take to promote all four licensing objectives together, for example, employing additional staff.

2.10 Checklist and declaration

By ticking this list, you are making a declaration that you have carried out the listed actions. If you tick the boxes and do not carry out these actions, you may be making a false statement in relation to the application, which is an offence, which on conviction may make you liable to a fine of up to £5,000.

You should check that you have included all the required documentation. This includes a plan of the premises and where necessary, the DPS consent form.

2.11 Plans

The plan of the premises should be included with the application, and copied to the responsible authorities as part of the application. The plan of the premises needs to meet the requirements set out in the Act and the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005, SI 2005/42 to show the following:

- A clear line must be drawn around the areas where licensable activities will be taking place. 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.
- The location of points of access to and egress from the premises.
- If different from above, the location of escape routes from the premises.
- In a case where the premises is used for more than one existing 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.
- 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.
- In a case where the premises includes any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts.
- In a case where the premise includes any room or rooms containing public conveniences, the location of the room or rooms.
- The location and type of any fire safety and any other safety equipment, including if applicable, marine safety equipment.
- The location of a kitchen, if any, on the premises.

The plan must be clear and legible. The plan may include a key of symbols to illustrate the above on the plan but there is no requirement to do so.

| | |
|--|--|
| <p>Do I have to have plans professionally drawn?</p> | <p>There is no requirement to have plans professionally drawn. What is important is that they are accurate and meet the requirements referred to the above.</p> |
| <p>Do I need to show a consumption area, such as a beer garden, on the plan?</p> | <p>There is no requirement to show on the plan any areas that are not part of the premises you are licensing. You should, however, describe any areas that you intend to provide for people to consume alcohol that you sell or supply under the general description of the premises that you are required to give at the beginning of part 3 of the application form.</p> |

2.12 Responsible Authorities

You are required to give a copy of the application, including the accompanying documentation, to the 'responsible authorities' on the same day as the application is given to the relevant licensing authority. If you are submitting an electronic copy, we are responsible for distributing your application and documentation to the Responsible Authorities. Responsible Authorities are the public bodies that are entitled to make representations to the licensing authority in relation to an application. Any representations must be about the likely effect of granting the application on the promotion of the licensing objectives. The responsible authorities include the following, for the area in which the premises are situated:

- The Chief Officer of Police.
- The Fire and Rescue Authority.
- The Primary Care Trust (or local Health board in Wales).
- The Health and Safety Authority.
- The Local Planning Authority.
- The Environmental health Authority.
- The body recognised as being responsible for protection of children from harm.
- Inspectors of weights and measures (Trading Standard Officers).
- The Home Office

With regard to a vessel, this list also includes the relevant navigation authority, the Environment Agency, British Waterways Board or the Secretary of State.

For details of the responsible authorities in our area see below.

Derbyshire Constabulary

c/o Licensing Officer
St Mary's Wharf
Prime Parkway
Chester Green
Derby
DE1 3AB
Email DLIC@derbyshire.police.uk

Fire Authority

Derbyshire Fire & Rescue Service
South Area Office
Ascot Drive Fire Station
Ascot Drive
Derby
DE24 8GZ
Email: southareaadmin@derbys-fire.gov.uk

Food Safety and Team

Derby City Council
Public Protection and Streetpride
The Council House
Corporation Street
Derby
DE1 2FS
Email: foodandsafety.duty@derby.gov.uk

Environmental Protection

Derby City Council
Public Protection and Streetpride
The Council House
Corporation Street
Derby
DE1 2FS
Email: EPTeam@derby.gov.uk

Trading Standards

Derby City Council
Public Protection and Streetpride
The Council House
Corporation Street
Derby
DE1 2FS
Email: tradstan.duty@derby.gov.uk

Chief Planning Officer

Derby City Council
The Council House
Corporation Street
Derby
DE1 2FS
Email: developmentcontrol@derby.gov.uk

Public Health

Director for Public Health
The Council House
Corporation Street
Derby
DE1 2FS

Derby Safeguarding Children Board

Child Protection Manager
Derby City Council
The Council House
Corporation Street
Derby
DE1 2FS
Email: cypsafeguarding@derby.gcsx.gov.uk

Home Office

Alcohol Licensing Team
Lunar House
40 Wellesley Road
Croydon
CR9 2BY
Email: alcohol@homeoffice.gsi.gov.uk

Licensing Authority

Derby City Council
Public Protection and Streetpride
Licensing Team
The Council House
Corporation Street
Derby
DE1 2FS
Email: licensing@derby.gov.uk

2.13 Advertising your application

Applications must be advertised as set out in the Act and the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005. This includes displaying a sign at or outside the premises and an advertisement in the local paper (Derby Telegraph) **(It is advisable to phone or email us to confirm when your 28 day application period ends before you contact the Derby Telegraph).**

The notice displayed on the premises must be:

- a size equal or larger than A4
- pale blue in colour
- printed legibly in black ink or typed in black in a font of a size equal to or larger than 16
- displayed for no less than 28 consecutive days starting on the day after the day on which the application was given to the licensing team. **(It is advisable to phone or email us to confirm when your 28 day application period ends)**
- the notice must be displayed in a prominent position on the premises and **where it can be easily read from the public highway** 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 that borders any highway

An advertisement must be placed in the local paper – ‘Derby Telegraph’ within ten working days after the day the application was given to the Licensing Team. **A copy of the newspaper page which shows the advertisement and the date of publication must be forwarded to us.**

Both the notice on or near the premises and in a local paper must include the following information:

- the name of the applicant or club;
- 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 or club premises to be identified;
- the postal address and, where applicable, the worldwide web address where the register of the licensing authority is kept and where and when the record of the application may be inspected;
- the date by which an interested party or responsible authority may make representations to the licensing authority;
- that representations shall be made in writing; and
- 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 of £5000.

There are public notice templates on our website which you can use for your premises and for the newspaper advertisement.

<https://www.derby.gov.uk/environmental-health-licensing-trading-standards/licensing/>

2.14 Part 4: Signatures

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

3. Applicants

Applicants must be at least 18 years old.

Applicants must ensure all areas are completed on forms.

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

4. Incomplete applications

- 4.1 If the application for a premises licence is deemed to be incomplete your application will be returned and you will be sent out a standard letter explaining what is outstanding.

5. Relevant representations to applications

5.1 Representations regarding your application can be made by:

- Chief Officer of Police
- Fire Authority
- Health & Safety Officer
- Environmental Protection Officer
- Inspections Officer (Food Safety)
- Planning Officer
- Area Child Protection Committee
- Primary Care Trust
- Licensing Authority
- Home Office
- any person

5.2 If relevant representations are received, you will be notified by letter or email and your application will be presented to the Licensing Sub-Committee. You will have the opportunity to speak at the hearing. You will receive more information when a date for the hearing has been set.

6. Appeals

6.1 If your licence has been refused by the Licensing Sub-Committee you can appeal to the Magistrates Court by writing to:

**The Magistrates' Court
Justices' Clerk Office
St Mary's Gate
DERBY
DE1 3JR**

7. Duration

7.1 A fee will be payable on an annual basis.

7.2 Before that date, you will be sent an invoice, but you are responsible for ensuring the annual fee is paid and your licence remains current. If the annual fee is not paid your Premises Licence and or Club Premises Certificate will be suspended until the payment has been paid. This means you will not be able to open to provide licensable activities.

8. Submission of Application

8.1 Your completed application form and accompanying documents should be sent to:

**The Licensing Team
Public Protection and Streetpride
The Council House
Corporation Street
Derby
DE1 2FS**

If you email us your application, we will send your emailed application onto all of the Responsible Authorities. If you call into our offices or post the application to us then you will need to submit copies of the application to the following all the Responsible authorities listed in 2.12 yourself.

This must be done on the same day as you send or take your application to the Licensing Team, we strongly advise that you get a signature and date as proof of submission to the Responsible Authorities.

9. Help and advice

9.1 If you need help or advice on submitting your application you can contact the Licensing Team by writing to the address above or telephoning (01332) 641951, or by email to licensing@derby.gov.uk.