



Elmbridge Borough Council

... bridging the communities ...

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Licensing Act 2003

Guidance for making an application for a Variation (Full or Major) to a Premises Licence

Note: This is not the form you should use for minor variations.

Before you start

- The form should be completed by the current premises licence holder or their agent using **black ink** only.
- If you are filling the form in by hand use **BLOCK CAPITALS** and write only in the boxes.
- Improperly completed forms may be returned as invalid.
- This guidance should be used in conjunction with the guidance on the back of the application form.
- If you make a mistake, further copies of the form are available from our website at **www.elmbridge.gov.uk/licensing**
- You cannot submit your application on line, you must complete the form and send it to us.
- All times stated must use the 24-hour clock system (e.g. 5.00 pm is 17:00 hrs).

These notes are intended for guidance only and are not authoritative. No responsibility is accepted for errors or omissions. You may wish to seek specialist legal advice before making an application.

Completing the form

1. **I/We.....apply** Insert full name of premises licence holder.

Part 1 Premises Details

2. **Postal Address** Insert the full postal address of the premises. Do not insert an Ordnance Survey grid reference unless the premises has no postal address at all (which is very unlikely), Please ensure you enter the full postcode.
3. **Telephone number of the premises** If there is a telephone number at the premises please fill in the number. If there is no telephone number please write **“none”**.
4. **Non-Domestic rateable value** Insert the rateable value of the property in the box. Please note this is not the rates that you pay but the rateable value of the premises. You can obtain this information from your rates bill or from the following website:
<https://www.gov.uk/correct-your-business-rates>

Part 2 - Applicant details Complete your daytime contact telephone number and your email address as we may need to contact you about your application.

5. Complete your current postal address if it is different from the premises address.

Part 3 - Variation

6. If you do not want the proposed variation to start as soon as possible please fill in the date you would like it to start.

7. Summarise the nature of the proposed variation having regard to the guideline notes on the form.

8. **5,000 people or more** If the premises will not hold more than 5,000 people put n/a in this box.

Part 4 - Operating Schedule

9. Only tick the boxes of those parts of your licence you wish to vary. Activities are exempt from regulation in certain circumstances (for example, live music does not need a licence in a pub with on sales where there are less than 500 people and it only takes place at a time between 08:00-23:00. Please access further information on relevant activities contained in Home Office guidance:
<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003>

10. **Provision of regulated entertainment** Tick the appropriate boxes a) to h), for those activities on your licence that you wish to vary

11. **Provision of late night refreshment** This is the provision of hot food or drink between 23:00 hrs. and 05:00 hrs.

12. **Sale of alcohol** Tick this box if you intend to vary the hours for supplying or selling alcohol.

13. **Boxes A to J** (Page 4 and following). Please note that you must use the 24-hour clock system e.g. 00.00-24.00. If you have ticked any of the boxes above please complete the appropriate box with the details of times etc. A box for each appropriate section ticked must be completed. Do not forget to include any seasonal variations, special occasions that occur each year such as St George's Day and public holidays when you may wish to open later. It is not expected that a licensed premises should need to apply for a Temporary Event Notice for public holidays etc in the future, as this should be taken into consideration at this point of the application process. Unexpected temporary requirements might be covered by the use of a Temporary Event Notice.

14. **Box K You must complete this box. Activities that may give rise to concern in respect of children** Information should be given here on any activities taking place on the premises that may give rise to concern in respect of children such as nudity, semi nudity or gaming machines. If there is nothing to highlight please write '**none**'

15. **Box L You must complete this box. Hours that the premises are open to the public** The hours you apply for in this section will determine the latest time you may be open to the public after sales of alcohol have ceased and will become a condition of the licence.

You may wish to consider adding at least half an hour to the times you have specified in box M to allow for drinking up time. Alternatively, you may wish to open at 07:00 hrs. to serve breakfast but not sell alcohol until 10:00 hrs.

16. **Conditions that may possibly be removed** There may be conditions that have been imposed on your licence, which you believe could be removed as a result of this variation or that you feel may be redundant to your present operating plan. If you would like those conditions removed please identify them here. Please be aware that if a condition was placed at a hearing by a Licensing Sub-Committee, one of the Responsible Authorities (such as the police etc) may make a representation to have the condition retained.
17. Enclose the **original** licence with this application or a statement why this cannot be done. It is not sufficient to state that the licence is not available to you. If the original licence has been lost or stolen it must be reported to the police. Please provide the police reference number.
18. **Box M** The next five boxes must be completed with any additional steps you intend to take in order to promote the listed licensing objectives (shown at a) to e), such as provision of CCTV, door supervisors, flood lighting in car park areas, notices to customers requesting them to consider neighbours and leave quietly, no children to allowed on the premises after 19:00 hrs. etc. When completing this you should have regard to this Council's Licensing Policy which gives information about this Council's expectations on these topics. This is also available on our website
19. **Check list** You must tick the next five boxes, which acknowledges that you are enclosing all of the appropriate forms and that you are serving the forms on the responsible authorities (a list is provided at the end of this guidance). You must serve forms on all the relevant authorities on the same day as you submit them to the Licensing Authority.

Fee Enclose the correct fee ((see separate fees information on the Council's website). We will accept payment by credit/debit card (over the phone or in person) or by cheque payable to 'Elmbridge Borough Council'. We cannot accept cash payments.

Plans Don't forget that if your variation entails structural alterations you must enclose a plan of the premises, usually on a scale of 1cm to 100cm. The plans must contain the following information:

- 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 (3)(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 mark a red line around the area/s within the premises that you intend for licensable activities to take place.

Don't forget that you must send a complete copy of the application including plan(s) to a number of other authorities in addition to the Licensing Authority (Elmbridge Borough Council).

You must also advertise the application both by displaying public notices at the premises to be licensed and by putting a public notice in a local newspaper. This public notice must appear in the newspaper within the 10-day period starting with the day after this application is received by us. Separate guidance is available on the Council's website.

If you don't comply with these requirements your application will be invalid, we will return it and you need to start again.

20. **Part 5** Sign and date the form here. If there is a second applicant where the licence is jointly held they must also sign. Your solicitor or agent can sign for you providing that they have the authority to do so.

21. **Capacity** Please enter in what capacity you are signing this application e.g. Applicant's Agent, Company Secretary, Chief Executive of a particular body etc.

22. **Contact details** Complete this section if you want the any correspondence and the final licence relating to this application sent to another address. Please include the postcode.

Who to send your application to

Your application for a Premises Licences must be sent to the Licensing Authority. Please enclose the relevant fee by way of a cheque or mark the application in the top right hand corner that you wish to pay over the telephone by credit or debit card (credit card fees apply). A member of the Licensing Team will telephone you on receipt to take payment which must be made within 24 hrs. The date of service on us will be the date when we receive the written application A complete copy including plan(s) must also be sent to all the bodies ('Responsible Authorities') other than the Licensing Authority listed on our webpages at: <http://www.elmbridge.gov.uk/licensing/beer-and-entertainment-licences/> These must all arrive at those authorities on the same day as the application is given to the Licensing Authority. Whilst not a legal requirement, we recommend that if you are posting copies of the application you send them through recorded post and retain proof of postage.

If you have any questions about the application process, please contact the Licensing Officer on 01372 474750.