

Applications to vary the Designated Premises Supervisor (DPS)

An application by the holder of the premises licence must include

- The application form
- The premises licence
- A fee of £23
- The form of consent from the proposed designated premises supervisor

The applicant must provide the licensing authority (Hinckley & Bosworth Borough Council), the existing designated premises supervisor, if there is one, and the police with a copy of the application at the same time.

Police address

The Chief Officer of Police, Licensing Section, Mansfield House, 74 Belgrave Gate, Leicester, LE1 3GG.

Some form of proof of service is advisable and the police have 14 days from receipt within which to respond if they consider the variation would undermine the prevention of crime and disorder objective. If the police issue an objection notice to the licensing authority a hearing of the licensing sub-committee will be convened, unless all parties agree otherwise, to determine the application.

The variation to change the DPS can be effective immediately on application, if so requested, but the application will be subject to the 14 day consultation by the police.

Note:

a) As no sale may take place without the authority of a nominated DPS there may be occasions when it will be difficult to comply with this legal requirement. For instance, you could not apply for a change of DPS to take effect immediately if the existing nominated DPS left without notice say at a weekend or evenings when the licensing office is closed. In such cases it is likely that providing the licensing office is satisfied that a personal licence holder has been responsible for authorizing the sale of alcohol during the period when no DPS was in place that an application on the next working day will be acceptable. Although strictly an offence each case will be looked at on its merits. This would suggest that it is good practice to have more than one person available who holds a personal licence

b) There can only be one nominated DPS for a premises. A change of DPS would mean from the date a new DPS is installed the 'old' DPS no longer has authority. This means that applicants need to be careful and ensure a smooth change over

Request to be removed as designated premises supervisor

Where an individual wishes to cease being a DPS in respect of a premises licence they may give the licensing authority a notice to that effect. If the person is also the premises licence holder the notice must be accompanied by the premises licence.

Within 48 hours of giving the licensing authority the notice the person must give a copy of that notice to the holder of the premises licence along with a notice requiring the holder of the premises licence within 14 days to send to the licensing authority the premises licence. It is an offence for the licence holder not to comply with this request. At the time no notices for this have been prescribed and it is anticipated that such notices in writing will be acceptable to the authority.



Hinckley & Bosworth
Borough Council

A Borough to be proud of

Hinckley & Bosworth Borough Council

Hinckley Hub, Rugby Road, Hinckley,
Leics. LE10 0FR.

Tel: 01455 255675

esadmin@hinckley-bosworth.gov.uk

www.hinckley-bosworth.gov.uk

Application to vary a premises licence to specify an individual as designated premises supervisor under the Licensing Act 2003

Please read the following instructions first

Before completing this form please read the guidance notes at the end of the form. If you are completing this 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.

I / we _____

(full name(s) of premises licence holder)

being the premises licence holder, apply to vary a premises licence to specify the individual named in this application as the premises supervisor under section 37 of the Licensing Act 2003

Premises licence number

--

Part 1 – Premises details

Postal address of premises or if none, ordnance survey map reference or description	
---	--

Post town	Post code (if known)
-----------	----------------------

Telephone number (if any)

Description of premises (please read guidance note 1)

Part 2

Full name of proposed designated premises supervisor

Personal licence number of proposed designated premises supervisor and issuing authority of that licence (if any)

Full name of existing designated premises supervisor (if any)

Please tick yes

I would like this application to have immediate effect under section 38 of the Licensing Act 2003

I have enclosed the premises licence or relevant part of it

(If you have not enclosed the premises licence, or relevant part of it, please give reasons why not)

Reasons why I have failed to enclose the premises licence or relevant part of it

Please tick yes

- I have made or enclosed payment of the fee
- I will give a copy of this application to the chief officer of police
- I have enclosed the consent form completed by the proposed premises supervisor
- I have enclosed the premises licence, or relevant part of it or explanation
- I will give a copy of this form to the existing premises supervisor, if any
- I understand that if I do not comply with the above requirements my application will be rejected and I have also read and understood the Data Protection privacy notice detailed below and give the council permission to share my data with other organisations necessary to process my application.

It is an offence, liable on conviction to a fine up to level 5 on the standard scale , under section 158 of the Licensing Act 2003 to make a false statement in or in connection with this application

Part 3 – Signatures (please read guidance note 2)

Signature of applicant or applicant's solicitor or other duly authorised agent (See guidance note 3). If signing on behalf of the applicant please state in what capacity.

Signature

.....

Date

.....

Capacity

.....

For joint applicants signature of 2nd applicant 2nd applicant's solicitor or other authorised agent (please read guidance note 4). If signing on behalf of the applicant please state in what capacity.

Signature

.....

Date

.....

Capacity

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Data Protection privacy notice

The information you have supplied to Hinckley & Bosworth Borough Council on this form will be used to process your application in accordance with the Data Protection Act 1998. It will be necessary from time to time to share this information with other Licensing Authorities, the Police, Environmental Health and other Responsible Authorities and agencies in order to assist them with their enquiries. Information may also be exchanged for the purposes of preventing and detecting fraud.

Guidance notes

1. Describe the premises. For example the type of premises it is.
2. The application form must be signed.
3. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
4. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
5. This is the address which we shall use to correspond with you about this application.

Note – fee

The initial fee is payable at the time of application and is not refundable if the application is withdrawn or is unsuccessful.

Consent of individual to being specified as premises supervisor

I

_____ (full name of prospective premises supervisor)

of

_____ (home address of prospective premises supervisor)

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

_____ (type of application)

by

_____ (name of applicant)

relating to a premises licence _____ (number of existing licence, if any)

for

_____ (name and address of premises to which the application relates)

and any premises licence to be granted or varied in respect of this application made by

_____ (name of applicant)

concerning the supply of alcohol at

(name and address of premises to which application relates)

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

(insert personal licence number, if any)

Personal licence issuing authority

(insert name and address and telephone number of personal licence issuing authority, if any)

Signed

Name (please print)

Date



Licensing Act 2003

Transfer of Premises Licences and Variations of Designated Premises Supervisors

Leicestershire Police are the responsible authority under the Licensing Act 2003 for ensuring that the licensing objectives of the prevention of crime and disorder and the protection of children from harm under the Licensing Act 2003 are not undermined.

The Police have a 14 day consultation period to object to applications for the transfer of a premises licence or applications for the variation of a premises licence to name a new designated premises supervisor.

Certain details not requested on the statutory application forms are required to enable the Police to make appropriate checks. Failure to obtain this information may result in the Police objecting to the grant of your licence.

Rather than requiring the Police to write separately to you, or to send an officer to visit you at your premises, it would be of great assistance to them if you could complete the following information and return it to the Police with their copy of your application.

Name	
Premises	
Date of Birth	
Place of Birth	
Home address	
Personal Mobile Telephone Number	
Premises Telephone Number	
Personal Licence Number (if applicable)	
Personal Licence Issuing Authority	
Expiry Date of Personal Licence	

Please return all forms by:

- Post to the address listed above
- Fax: 0116 2484394

Email: licensing@leicestershire.pnn.police.uk