

APPLICATION FOR A PREMISES LICENCE

Please consult a solicitor or legal advisor if you require assistance in completing the forms.

These notes supplement the Notes for Guidance found at the end of the application form.

If you are applying for a premises licence under the new legislation then you will need to;

- 1) Complete form LA9 for a premises licence.

You must include the following with your application form;

- The fee (see Appendix 1)
- A plan of the premises (Scale 1 to 100 (1cm : 1m) See Appendix 2)
- The DPS consent form (form ref LA2) (only if you wish to sell alcohol)

You must send a copy of your application and plan to the police and the other responsible authorities (see Appendix 3).

You must advertise your application (see Appendix 4 for advertising requirements).

- 2) **If you wish to sell alcohol**, Form LA5 must be completed for the Designated Premises Supervisor and for any other people that may wish to obtain a personal licence. These application forms must be accompanied by a disclosure form (Form LA7) in all cases. Relevant offences (and foreign offences) that need to be disclosed are detailed in Appendix 6).

These applications should also enclose the applicants licensing qualification.

The Personal Licence application fee is £37.

These applications do not need to be submitted at the same time as the Premises Licence application.

One of the following documents must also be enclosed

- A criminal conviction certificate issued under S112 of the Police Act 1997
- A criminal record certificate issued under S113A of the Police Act 1997 or
- The results of a subject access search under the Data Protection Act 1998(b) of the Police National Computer by the National Identification Service.

To apply for a subject access search please contact the Greater Manchester Police Data Protection Unit (tel. 0161 856 2534). Alternatively, you can email the unit at subjectaccess@gmp.police.uk to obtain an application form

The date of issue of these certificates should be no greater than one calendar month before the date of application.

You must also enclose two photographs of yourself with the application. (see Appendix 5).

When submitting your application please ensure that all the information and supporting documentation is included as we are not able to process incomplete applications and your application(s) will be rejected.

Copies of Bolton Council's Licensing Act 2003 Policy Statement and the local authority objectives are available via the Licensing Unit or at www.bolton.gov.uk

Appendix 1 - Fees.

The fee payable for a premises licence varies dependant upon the non-domestic rateable value of the premises as follows. If the premises have a rateable value of over £87,000 and are used exclusively or primarily for the sale of alcohol the fees indicated in the third column are applicable.

| Non-domestic rateable value | Premises Licence Application Fee | Premises Exclusively or for Primarily Selling Alcohol |
|------------------------------------|---|--|
| £0 - £4,300 | £100 | N/a |
| £4,301 - £33,000 | £190 | N/a |
| £33,001 - £87,000 | £315 | N/a |
| £87,001 - £125,000 | £450 | £900 |
| £125,001 and over | £635 | £1,905 |

For premises where the proposed maximum number of people allowed (during licensable activities) exceeds 5,000 there is also an additional fee payable. Details can be obtained from the Licensing Unit.

The application fee for a personal licence is **£37**

Appendix 2 – Plan of the Premises

The plan shall be drawn to a scale of 1 to 100 (1cm = 1 metre), unless the licensing authority has previously agreed in writing with the applicant, following a request by the applicant that an alternative scale plan is acceptable to it, in which case the plan shall be drawn to that alternative scale.

The plan shall show;

- 1) 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;
- 2) the location of points of access to and egress from the premises;
- 3) if different from paragraph (2), the location of escape routes from the premises;
- 4) in a case where the premises is used for more than one existing licensable activity, the area within the premises used for each activity;
- 5) 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;
- 6) 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;
- 7) 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;
- 8) in a case where the premises includes any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts;
- 9) in a case where the premises includes any room or rooms containing public conveniences, the location of the room or rooms;
- 10) the location and type of any fire safety and any other safety equipment; and
- 11) the location of a kitchen, if any, on the premises.

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

Appendix 3 – Responsible Authorities

Applications must be copied to all the responsible authorities listed below. Copies must be deposited with the Responsible Authorities **on the same day** as the application is made to the Bolton News.;

Police Partnership & Licensing Team
Partnership and Licensing Team
Bolton Police Station
Scholey Street
Bolton
BL2 1HD

E-mail:
Andrew.Vernon@gmp.police.uk

Greater Manchester Fire Service
Protection Directorate
Fire Service Headquarters
146 Bolton Road
Swinton
M27 8US

Tele: 0161 608 5410

E-mail:
firesafetyadmin@manchesterfire.gov.uk

1. Health and Safety Unit
2. Pollution Control
3. Trading Standards
Bolton Council
Ellesmere House
Mayor Street
Bolton
BL3 5DT
Tele: 01204 336500

E-mail:
environmental.health@bolton.gov.uk

Child Protection Unit
Children Services
Bolton Council
Westhoughton Town Hall
Market Street
Westhoughton
Bolton
BL5 3AW

Tele: 01204 337468

E-mail: area.cpc@bolton.gov.uk

Planning Control Section
Environment Department
Bolton Council
Town Hall
Bolton
BL1 1RU

Tele: 01204 336000

E-mail:
planning.control@bolton.gov.uk

Director of Public Health
Public Health HQ
1st Floor Bolton Town Hall
Victoria Square
Bolton
BL1 1RU

Tele:01204 337859

E-mail: helen.lowey@bolton.gov.uk &
gary.bickerstaffe@bolton.gov.uk

Home Office Alcohol Licensing
Team
Lunar House
40 Wellesley Road
Croydon
CR9 2BY
E-mail:
Alcohol@homeoffice.gsi.gov.uk

Appendix 4 – Advertising Requirements

You are required to advertise your application both at the location of the premises and in a local newspaper.

Notice to be displayed at the location of the premises.

For a period of 28 days, commencing on the day after the day on which the application was submitted, a notice must be displayed at or on the premises to which the application relates. It must be placed in a prominent position where it can be easily read from the exterior of the premises. If the premises cover an area greater than 50 metres square then a further notice must be displayed every 50 metres along the perimeter of the premises abutting any highway.

The notice shall be equal or larger than A4 size and must be printed or written in black ink on **pale blue paper**.

The notice shall be printed in black ink with a font size of at least 16pt.

Notice to be displayed in a local newspaper.

A notice must be published in the Bolton Evening News (or other local newspaper), on at least one occasion within 10 working days starting on the day after the day on which the application was submitted.

The notice can be placed in the BEN by completing the template included, and faxing to 01204 537432. You can also place and pay for your notice on line at www.thisisbolton.co.uk and following the ads on line link on the front page or alternatively by contacting Nicola Ainsworth or Helen Williams at the Bolton Evening News on 01204 522333.

Content of notices.

In the case of an application to vary a premises licence or a club premises certificate, the notices referred to shall briefly describe the proposed variation.

The notices must also state;

- (1) a statement of the relevant licensable activities which it is proposed to carry on or from the premises and the hours of operation;
- (2) the name of the applicant;
- (3) the postal address of the premises or if there is no postal address for the premises a description of the premises sufficient to enable the location and extent of the premises to be identified;
- (4) the postal address and the worldwide web address where the register of the licensing authority is kept (www.bolton.gov.uk) and where and when the record of the application may be inspected;
- (5) the date by which an interested party or responsible authority may make representations to the relevant licensing authority (29 consecutive days after the date of application);
- (6) that representations shall be made in writing; and
- (7) 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.

Format of Notice to be displayed on premises.

The attached notice must be displayed on or near the premises for a period of 28 consecutive days commencing the day after the application was submitted to the Council

Important Please Note: The format of this notice is a suggested format and is NOT legally binding.

All notices MUST BE:

- of a size equal to A4 or larger;
- pale blue in colour; and
- printed in black ink or typed in black in a font size equal to or larger than 16.

Licensing Act 2003

**Notice of application for a new Premises Licence /
Variation of Premises, Licence**

(* delete as appropriate)

I / We

.....
(insert name(s) of applicant(s)) of

.....
(insert name and address of premises)

have applied to Bolton Council for a new Premises Licence /
to vary the Premises Licence * (* delete as appropriate)

(In the case of an application for a new Premises Licence);

The relevant Licensing activities which it is intended to
provide at the premises are:- (list the licensing activities including
opening and closing times)

(Or in the case of a variation of a Premises Licence/Club Premises Certificate*)

The variation(s)* applied for are / is:-

(list the variations being applied for)

The application may be inspected at Bolton Council
Licensing Team, Ground Floor, Town Hall, Bolton BL1 1RU
between the hours of 9.00 a.m. and 4.30 p.m. on Monday to
Friday inclusive. Any 'Interested Party' or 'Responsible
Authority' may make representations to the Council regarding
the application during the period of 28 consecutive days
starting with the day after the application was lodged with the
Council, that day being *(insert date)*. The last day for
representations to be made will therefore be *(insert date 28 days
after the first date)*. All representations **must** be made in writing.

It is an offence to knowingly or recklessly make a false statement in connection with an application. On summary conviction, the maximum penalty for such an offence is an unlimited fine.

Signature(s)

.....

Date.....

Appendix 5 – Requirements for photographs.

Two photographs of the applicant must accompany applications for Personal Licences. These must be,

- (1) taken against a light background so that the applicant's features are distinguishable and contrast against the background,
- (2) 45 millimetres by 35 millimetres,
- (3) full face uncovered and without sunglasses and, unless the applicant wears a head covering due to his or her religious beliefs, without a head covering,
- (4) on photographic paper, and
- (5) one of the photographs must be endorsed with a statement verifying the likeness of the photograph to the applicant by a solicitor, notary, a person of standing in the community or any individual with a professional qualification.

Appendix 6 – “Relevant Offences”.

- 1 *An offence under the Licensing Act 2003. (Not applicable until November 2005)*
- 2 An offence under any of the following enactments-
 - (a) Schedule 12 to the London Government Act 1963 (c. 33) (public entertainment licensing);
 - (b) the Licensing Act 1964 (c. 26);
 - (c) the Private Places of Entertainment (Licensing) Act 1967 (c. 19);
 - (d) section 13 of the Theatres Act 1968 (c. 54);
 - (e) the Late Night Refreshment Houses Act 1969 (c. 53);
 - (f) section 6 of, or Schedule 1 to, the Local Government (Miscellaneous Provisions) Act 1982 (c. 30);
 - (g) the Licensing (Occasional Permissions) Act 1983 (c. 24);
 - (h) the Cinemas Act 1985 (c. 13);
 - (i) the London Local Authorities Act 1990 (c. vii).
- 3 An offence under the Firearms Act 1968 (c. 27).
- 4 An offence under section 1 of the Trade Descriptions Act 1968 (c. 29)

(false trade description of goods) in circumstances where the goods in question are or include alcohol.

- 5 An offence under any of the following provisions of the Theft Act 1968 (c. 60)-
 - (a) section 1 (theft);
 - (b) section 8 (robbery);
 - (c) section 9 (burglary);
 - (d) section 10 (aggravated burglary);
 - (e) section 11 (removal of articles from places open to the public);
 - (f) section 12A (aggravated vehicle-taking), in circumstances where subsection (2)(b) of that section applies and the accident caused the death of any person;
 - (g) section 13 (abstracting of electricity);
 - (h) section 15 (obtaining property by deception);
 - (i) section 15A (obtaining a money transfer by deception);
 - (j) section 16 (obtaining pecuniary advantage by deception);
 - (k) section 17 (false accounting);
 - (l) section 19 (false statements by company directors etc.);
 - (m) section 20 (suppression, etc. of documents);
 - (n) section 21 (blackmail);
 - (o) section 22 (handling stolen goods);
 - (p) section 24A (dishonestly retaining a wrongful credit);
 - (q) section 25 (going equipped for stealing etc.).
- 6 An offence under section 7(2) of the Gaming Act 1968 (c. 65) (allowing child to take part in gaming on premises licensed for the sale of alcohol).
- 7 An offence under any of the following provisions of the Misuse of Drugs Act 1971 (c. 38)-
 - (a) section 4(2) (production of a controlled drug);
 - (b) section 4(3) (supply of a controlled drug);
 - (c) section 5(3) (possession of a controlled drug with intent to supply);
 - (d) section 8 (permitting activities to take place on premises).
- 8 An offence under either of the following provisions of the Theft Act 1978 (c. 31)-

- (a) section 1 (obtaining services by deception);
 - (b) section 2 (evasion of liability by deception).
- 9 An offence under either of the following provisions of the Customs and Excise Management Act 1979 (c. 2)-
 - (a) section 170 (disregarding subsection (1)(a)) (fraudulent evasion of duty etc.);
 - (b) section 170B (taking preparatory steps for evasion of duty).
- 10 An offence under either of the following provisions of the Tobacco Products Duty Act 1979 (c. 7)-
 - (a) section 8G (possession and sale of unmarked tobacco);
 - (b) section 8H (use of premises for sale of unmarked tobacco).
- 11 An offence under the Forgery and Counterfeiting Act 1981 (c. 45) (other than an offence under section 18 or 19 of that Act).
- 12 An offence under the Firearms (Amendment) Act 1988 (c. 45).
- 13 An offence under any of the following provisions of the Copyright, Designs and Patents Act 1988 (c. 48)-
 - (a) section 107(1)(d)(iii) (public exhibition in the course of a business of article infringing copyright);
 - (b) section 107(3) (infringement of copyright by public performance of work etc.);
 - (c) section 198(2) (broadcast etc. of recording of performance made without sufficient consent);
 - (d) section 297(1) (fraudulent reception of transmission);
 - (e) section 297A(1) (supply etc. of unauthorised decoder).
- 14 An offence under any of the following provisions of the Road Traffic Act 1988 (c. 52)-
 - (a) section 3A (causing death by careless driving while under the influence of drink or drugs);
 - (b) section 4 (driving etc. a vehicle when under the influence of drink or drugs);
 - (c) section 5 (driving etc. a vehicle with alcohol concentration above prescribed limit).
- 15 An offence under either of the following provisions of the Food Safety Act 1990 (c. 16) in circumstances where the food in question is or includes alcohol-

- (a) section 14 (selling food or drink not of the nature, substance or quality demanded);
 - (b) section 15 (falsely describing or presenting food or drink).
- 16 An offence under section 92(1) or (2) of the Trade Marks Act 1994 (c. 26) (unauthorised use of trade mark, etc. in relation to goods) in circumstances where the goods in question are or include alcohol.
 - 17 An offence under the Firearms (Amendment) Act 1997 (c. 5).
 - 18 A sexual offence, within the meaning of section 161(2) of the Powers of Criminal Courts (Sentencing) Act 2000 (c. 6).
 - 19 A violent offence, within the meaning of section 161(3) of that Act.
 - 20 An offence under section 3 of the Private Security Industry Act 2001 (c. 12) (engaging in certain activities relating to security without a licence).

For the purposes of this Part a conviction for a relevant offence or a foreign offence must be disregarded if it is spent for the purposes of the Rehabilitation of Offenders Act 1974

A "foreign offence" means an offence (other than a relevant offence) under the law of any place outside England and Wales.