



Guide to completing an application to Vary a Premises Licence to specify an Individual as Designated Premises Supervisor

This application must be completed where a premises licence holder intends to vary the existing Designated Premises Supervisor (DPS).

Premises will not be authorised for the sale or supply of alcohol where there is no named DPS in place. The main purpose of the “designated premises supervisor” (DPS) as defined in the 2003 Act is to ensure that there is always one specified individual, who can be readily identified for the premises where a premises licence is in force. That person will normally have been given day-to-day responsibility for running the premises by the premises licence holder. The DPS must be contactable and accountable for the premises and not merely a name on the licence.

The application form should be completed by the premises licence holder(s) or their agent (i.e. solicitor) and should be accompanied by a consent form which must be completed by the proposed Designated Premises Supervisor. The premises licence also needs to be included with the application form. If the applicant is unable to do so they must complete the relevant section stating why they are unable to. A copy of the completed form should be given to the existing Designated Premises Supervisor (where possible).

The application form, surrendered premises licence, consent form and fee of £23.00 should be returned to **Burnley Borough Council Licensing Unit, 1st Floor, Parker Lane Offices, Parker Lane, Burnley, BB11 2DT.**

A copy of the application form and consent form must also be sent to the Police Licensing Officer at the address below:-

**Pennine Divisional Headquarters
Burnley Police Station
Parker Lane
Burnley
BB11 2BT**

More detailed information on completing the application form can be found overleaf.

Application Form

At the top of the first page of the application form you will need to write the name(s) of the current premises licence holder(s) and provide the Premises Licence number.

Part 1

Write the name, postal address and telephone number of the premises for which you require the licence. You will need to provide a brief description of the premises (see note 1 at the rear of the form).

Part 2

Please complete the boxes with the full name of the proposed DPS, their personal licence number and the name of the council which issued it. You will also need to state the full name of the existing DPS if there is one.

Please tick the boxes that apply. If you request the variation of DPS to have immediate effect, this will occur as soon as the licensing authority receives a correctly completed application and will remain in place until formally determined or withdrawn.

If you are not able to return the premises licence you will need to state exactly why not.

On page 2 of the application form, there follows a check list to work through to confirm what else needs to be submitted along with the form and the procedure. This includes giving copies of the application to the outgoing DPS if applicable.

Part 3 – Signatures

Please ensure that all applicants sign the form or, if an agent such as a solicitor is making the application, this needs to be shown in the capacity field (see notes 2 to 4 at the rear of the application form).

The final box on the last page of the form is to be completed if you wish for any correspondence relating to the application to be sent to an alternative address. Otherwise the premises licence address will be used for all correspondence.

What happens next?

Please check through the form to make sure all appropriate parts have been completed.

The police have 14 consecutive days (starting with the day they receive your application) to make an objection to your application.

If the police do not make an objection within the 14 day time period the variation of DPS will be granted and a new licence issued. **(The Premises Licence Summary section of the licence must be prominently displayed at the premises.)**

If, the police make an objection within the 14 day time period and the objection shows that the police have good grounds for believing that the variation of the DPS would undermine the licensing objective of the prevention of crime and disorder, a hearing will be held before the Licensing Sub-Committee (unless all parties agree a hearing is unnecessary), whereby all relevant parties may attend. The Licensing Sub-Committee will consist of three elected members of the Council. The applicant will be able to give evidence in support of their application, answer questions and call any witnesses. The Committee will listen to evidence from all parties before deciding whether to grant the variation of the DPS or refuse it. If the applicant is dissatisfied with a decision made by the Licensing Sub-Committee, the applicant can appeal to the Magistrates Court within 21 days of being notified of the Licensing Sub-Committee's decision.

For further information please contact the Licensing Unit on 01282 425011 or email: licensing@burnley.gov.uk