



## Licensing Act 2003

### **HOW TO APPLY – VARIATION OF A PREMISES LICENCE**

Before completing your variation application form, read through the form and all of the guidance notes. The Licensing Office is only in a position to offer general advice and would suggest that you seek legal advice from a Licensing Agent or a Solicitor for assistance with completing the application form. Please have regard to the statement of licensing policy and the operating schedule guidance notes. These can be accessed at our website [www.charnwood.gov.uk](http://www.charnwood.gov.uk) and search for licensing. If you are unable to access the internet, please contact the Licensing Section on 01509 634666.

Complete the form in black ink and in block capitals ensuring that you complete all relevant sections signing and dating each section.

If you do not know your non-domestic rateable value you can contact the non-domestic rates section of Charnwood Borough Council on 01509 634831 or alternatively you can find the information on the web-site of the valuation office [www.voa.gov.uk](http://www.voa.gov.uk)

Licensing will check the premise business rates against the Valuation Offices Agencies website, should this found to be different to the rate you have provided on your application then you will be charged/refunded the difference in fee.

Once you know your non-domestic rateable value you can locate which band the premises falls within enabling you to work out the correct application fee. Please see the fee table below.

#### **Schedule of Initial Application Fees**

Band	A	B	C	D	E
Rateable	0-4300	4301 - 33000	33001 - 87000	87001 - 125000	125001 and above

Band	A	B	C	D*	E*
Initial Fee	£100	£190	£315	£450	£635

\*Where premises are used exclusively or primarily for the sale of alcohol, and which are included in the D or E bands, a fee multiplier is applied: D(x2) £900 E(x3) £1905

#### **Schedule of Annual Fees**

Band	A	B	C	D*	E*
Renewal Fee	£70	£180	£295	£320	£350

\*As above, a fee multiplier is applied for D & E bands D(x2) £640 E(x3) £1050

Please ensure that the nature of the variation is clearly shown – e.g. variation of opening hours, or variation to include additional licensable activities.

Please note that if the application is rejected and a new application made, a further fee will be payable and a second newspaper notice will have to be placed at the cost of the applicant, plus further copy applications served on responsible authorities. You are therefore strongly recommended to approach a Licensing Consultant for advice. Please include the correct fee and make cheques payable to Charnwood Borough Council.

**Please include the correct fee and make cheques payable to Charnwood Borough Council. Your original licence document (Parts A & B) must be returned to the Licensing Office with the Application.**

The application must include a plan of the premises on a scale of 1:100 scale unless a scale has been otherwise agreed in writing by Charnwood Borough Council. The plan **MUST** show:

- The extent of the boundary of the building including external and internal walls of the building;
- The location of points of access to and egress from the premises;
- 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;
- The area in the premises used for the consumption of alcohol;
- Fixed structures including furniture that may impact on the ability of individuals on the premises to use exits without impediment;
- The location and height of all stages or raised areas;
- The location of all steps, stairs, elevators or lifts;
- The location of rooms containing public conveniences;
- The location and type of any fire safety and any other safety equipment;
- The location of the kitchen.

**A full copy of your application form and all supporting documents must be served on the following responsible authorities at the same time as submitting the application to the Licensing Authority:**

**POLICE**

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

**PLANNING DEPARTMENT**

Charnwood Borough Council  
Council Offices  
Southfield Road  
Loughborough  
Leicestershire LE11 2TX

**ENVIRONMENTAL HEALTH DEPARTMENT (ENVIRONMENTAL PROTECTION)**

Charnwood Borough Council  
Council Offices  
Southfield Road  
Loughborough  
Leicestershire LE11 2TX

**OCCUPATIONAL HEALTH AND WELFARE DEPARTMENT**

Charnwood Borough Council  
Council Offices  
Southfield Road  
Loughborough  
Leicestershire LE11 2TX

**LEICESTERSHIRE COUNTY COUNCIL**

Public Health, G58  
County Hall  
Glenfield  
Leicester  
LE3 8RA

**TRADING STANDARDS**

Business Services  
County Hall  
Glenfield  
Leicestershire  
LE3 8RN

**THE FIRE AUTHORITY**

Leicestershire Fire and Rescue  
Headquarters  
12 Geoff Monk Way  
Birstall  
Leicester  
LE4 3BU

## **Immigration Act 2016**

The Immigration Act 2016 introduces immigration safeguards in respect of licensing applications with effect from 6<sup>th</sup> April 2016. The intention is to prevent illegal working in premises licensed for the sale of alcohol or late night refreshment.

The Immigration Act 2016 makes the Secretary of State a responsible authority in respect of premises licensed to sell alcohol or late night refreshment with effect from 6<sup>th</sup> April 2017. In effect this responsibility has been given to the Home Office (Immigration Enforcement) who exercises this power on the Secretary of States behalf.

The Home Office (Immigration Enforcement) acts as a responsible authority in respect of the prevention of Crime and Disorder licensing objective as it is concerned with the prevention of immigration crime in connection with licensed premises. Along with the other Responsible Authorities above, the **licence application needs to be copied by the applicant and sent to;**

### **Home Office (Immigration Enforcement)**

Alcohol Licensing Team  
40 Wellesley Road  
Croydon  
CR9 2BY

### **The application must be advertised in the following manner:**

- a. **A notice at the premises** on pale blue paper of a minimum A4 in size. The type must be printed in black ink not less than font size 16. The notice needs to be displayed not less than 28 consecutive days starting the day after the application was given to the Licensing Authority and must be displayed in a prominent position where it can be read from the exterior of the building (buildings that cover more than 50 meters square should have further notices displayed every 50 metres along the external perimeter).
- b. **An advert in a local newspaper** that circulates in the vicinity of the premises on at least one occasion within 10 working days starting the day after the day you submit the application to the Licensing Authority.

### **Both advertisements must contain the following information:**

- i. Name of applicant
- ii. Brief description of variation sought
- iii. Postal address of Premises
- iv. Postal address of Local Authority where a record of the application can be inspected
- v. Date by which interested parties or responsible authorities must make representations by (28 consecutive days starting after the day the application is given to the Local Authority)
- vi. Representations must be made in writing

- vii. That it is an offence to knowingly or recklessly 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.

Failure to advertise the application to vary will result in the application being rejected. If your application is rejected the process will begin again including the requirement to place public notice (newspaper and on premises) and serve notice on responsible authorities.

The Licensing Authority will require a copy of the advertisement placed at the premises and in the local newspaper.

**SPECIMEN PUBLIC NOTICE FOR A NEWSPAPER/NOTICE FOR DISPLAY ON THE PREMISE**

**AN APPLICATION HAS BEEN SUBMITTED TO CHARNWOOD BOROUGH COUNCIL AS FOLLOWS:-**

<b>Type of application (grant or variation)</b>	
<b>Name of Applicant</b>	
<b>Premises Name</b>	
<b>Address of premises</b>	
<b>Type of activity to be licensed</b>	<b>Days and times Licensable activities are to take place</b>
	<b>Monday Tuesday Wednesday Thursday Friday Saturday Sunday</b>

Dated:

Any objections in respect of the application should be made in writing, using the Representation Form which can be found at [https://www.charnwood.gov.uk/pages/object\\_to\\_premises\\_licence\\_or\\_club\\_certificate](https://www.charnwood.gov.uk/pages/object_to_premises_licence_or_club_certificate) to: Licensing Manager, Charnwood Borough Council, Council Offices, Southfield Road, Loughborough, Leicestershire, LE11 2TX, and must be made by the following date:-

A record of the application can be inspected at the Council Offices at the aforementioned address during normal office hours. It is an offence to knowingly or recklessly make a false statement in or in connection with an application. Any person found guilty of such offence shall be liable on summary conviction to a maximum fine in the sum of £5000.00. Guidance for making objections can be found using the above link:

## Licensing Section contact details:

<b>Personal visit to:</b>  Charnwood Borough Council Licensing Section Southfield Road Loughborough Leicestershire LE11 2TX	<b>Writing to us at:</b>  The Licensing Section Charnwood Borough Council Council Offices Southfield Road Loughborough Leicestershire LE11 2TX
<b>Email:</b> <b>licensing@charnwood.gov.uk</b>	<b>Phone:</b> <b>01509 634666</b>