

If your business deals with supply or sale of alcohol, provides public entertainment or late night drinks and hot food, you will be requiring a license.

The location, where alcohol is sold, can be covered with two types of licenses. These are a Temporary Event Notice and a Premises License. Similar provisions are also available for the registered clubs.

An individual who has a Personal License is allowed to sell and supply alcohol and also perform the duties of a Designated Premises Supervisor (DPS) within the premises, with a Premises License.

### **What do you mean by a Temporary Event Notice?**

A business owner who proposes to carry out any licensable activity such as the sale and supply of alcohol, provide entertainment like singing, music, dancing etc to the public or provide late night refreshments, within the premises without a license, will need a Temporary Event Notice. The same will also apply if the business owner has a Premises Licence or Club Premises Licence, but intends to operate beyond its terms.

The Temporary Event Notice is not a license, but just a notice, which is valid for a restricted time and for a fixed number of people. The police have the right to oppose the Temporary Event Notice if they feel it is creating disorder or resulting in crime.

### **What do you mean a Personal License?**

Personal Licenses can be obtained by individuals with the required qualifications and appropriate CRB certificate, after completing and filling an appropriate application form. The personal licenses are valid for a period of 10 years. An individual working within a licensed premises or operating under a Temporary Event Notice does not require a personal license. However, if an individual intends to gain the authority of a Designated Premises Supervisor (DPS) or plans to apply for the Temporary Event Notice for more than 5 times in the same year, he has to obtain a personal license.

### **What do you mean by a Premises License?**

An individual who intends to supply or sell alcohol, provide public entertainment or late night refreshments or carry out any other type of licensable activities, in a temporary or permanent premises, requires the Premises License from the Licensing Authority.

To obtain the Premises License, a business owner has to place an application with the details of the applicant and the Designated Premises Supervisor, who has to be a personal licence holder.

### **What is the process of applying for a Premises License?**

In order to obtain a premises licence, the business owner has to complete and submit a 22 page application form, along with the other required documents, to the Licensing Authority and seven other authorities which are responsible for the same. In the application form, the applicant needs to specify the licensable activities to be carried out in the premises in

question. The applicant also needs to specify the hours he intends to remain open to public along with the operating schedule.

### **Which hours can one apply for?**

An applicant seeking a Premises License can apply to remain open to the public for up to 24 hours a day. The 'set permitted hours' no longer exists. However, the responsible authorities, along with some other interested parties, can make objections regarding the duration of the license, if they have any concern associated with it.

The business owner will require a license if he intends to carry out activities like provision of late night refreshment, between 23:00-05:00 hours.

### **What do you mean by an operating schedule?**

The operating schedule is a section included in an application form for obtaining a premises licence or club premises certificate. This is the section where the business owner has to specify the following things to the Licensing Authorities along with other responsible authorities, and also the local residents:

- Which licensable activities will be carried out in the premises?
- The hours of operation of these licensable activities through the year.
- Other times when the premises will be open to the public but there will be no licensable activity taking place.
- Whether the premises licence is required for a limited period only.
- If the premises will sell and supply alcohol, then the name and address of the Designated Premises Supervisor (unless the applicant is applying for a club premises certificate).
- Whether the supply of alcohol will be for consumption on or off the premises.
- The steps that the business owner intends to take in order to promote the licensing objectives like Prevention of crime and disorder; Public safety; Prevention of public nuisance; and Protection of children from harm.

All these details have to be very carefully included in the application form as these itself will form the conditions of the license and any kind of breach can result in prosecution.

### **Who all should be informed about the application?**

Besides forwarding the application to the Licensing Authorities, other responsible authorities and interested parties, the applicant also needs to advertise it on the premises in question for 28 days along with the local press.

### **Who may raise objection against the application?**

The responsible authorities or any other interested parties, who either live or operate a business in or nearby the premises in question, can raise objections or representations.

### **Can any application be rejected by the authority?**

The responsible authority is bound to grant the premises license to the applicant by the end of the consultation period if there are no objections raised or representations received and even if the issues were raised but finally resolved.

**What if the representations are not resolved?**

In case an applicant fails to resolve the received representations, then the application has to be sent for a hearing, which has to take place within 20 working days by the end of the consultation period. Once the hearing is over, the Committee may decide to grant the license as it was applied for or with certain amendments and added conditions or may even reject it.

**Do the applicants have the right to appeal?**

In certain cases, the applicants can appeal against the decisions of the Licensing Authority in a local Magistrates Court, but it has to be done within the time period provided.