

## Notes for Applicant

### General

An application or notification for licensing purposes will be accepted as valid only where it contains all of the required detail specified by the Act and/or Regulations and is accompanied by the correct fee. Enclose as appropriate

- A plan of the premise
- The consent form of the person wishing to be the designated premise supervisor
- The certificate of service(pages 8&9)
- A copy of the notice (page 10)
- A document demonstrating entitlement to work in the UK (see note on page 11)

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

2. In terms of specific regulated entertainments please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

- a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).

4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

5. For example (but not exclusively), where the activity will occur on additional days during the summer months.

6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.

8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.

9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

10. Please list here steps you will take to promote all four licensing objectives together.

11. The application form must be signed.

12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.

13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.

14. This is the address which we shall use to correspond with you about this application.

**An application for a premises licence or club premises licence must be accompanied by a plan of the premises.**

Plans in respect of an application for the grant of, or variation to a premise licence, club premises certificate or for a provisional statement, should be drawn to scale 1:100 on the metric scale. The Authority will only agree to accept plans on any other scale in exceptional circumstance and such agreement must be given before the application is lodged.

Applications filed with plans on any scale without the express agreement of the Authority will not comply with requirements of the legislation and will be invalid.

The plan shall show

- 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;
- The location of points of access to and egress from the premises;
- If different from the above point, the location of escape routes from the premises;
- In the case where the premises is to be used for more than one licensable activity, the area within the premises used for each activity;
- 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;
- In the case where the premise includes a stage or raised area, the location and height of each stage or area relative to the floor;
- In the case where the premises includes any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts;
- In the case where the premises includes any room or rooms containing public conveniences, the location of the room or rooms;
- The location and type of any fire safety and any other safety equipment including, if applicable, marine safety equipment;

- The location of a kitchen, if any on the premises; and
- In addition to the requirements of the legislation plans shall also show the location of any CCTV cameras fitted to the licensed premises.

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

Plans should be colour coded as follows:

- The location of the extent of the boundary of the premises to be licensed is to be edged in red.
- The locations on or from the premises which are to be used for licensable activities shall be shown edged brown and where there is more than one licensable activity taking part on the premises the applicant shall indicate on the plan (by way of shading/hatching or otherwise but to include a key) where each of those activities is to take place.
- Areas to which alterations to premises currently licensed are to be carried out and for which approval is sought, are to be edged in green.
- Areas to which children are permitted are to be edged in blue.

### **Advertisement of application**

The following types of applications must be advertised:

- For a premises licence
- For a provisional statement
- To vary a premises licence
- For a club premises certificate
- To vary a club premise licence

### **The Regulations require the application to be advertised in two ways:**

1. By displaying a notice a period of not less than 28 days starting on the day after the day on which the application was given to the relevant authority. (The template is on the last page of the guidance notes. The Licensing department will need to see a copy of the notice with the application).

The notice should be:

- of size equal or larger than A4
- of a pale blue colour
- printed legibly in black ink or typed in black in a font of a size equal or larger than 16
- notices must be able to be read from the exterior of the premise (in larger premises, several notices will be required every fifty metres)

The notice should be displayed at or on the premises to which the application relates where it can be conveniently read from exterior of the premises and in the case of a premises covering an area of more than fifty metres square, a further notice in the same format every fifty metres along the external perimeter of the premises abutting the highway.

2. By publishing a notice in a local newspaper circulating in the vicinity of the premises. On a least one occasion during the period of ten working days starting on the day after the day on which the application was given to the relevant authority. The applicant must provide proof of the advertisement to the Council.

If you wish to apply for a new premises licence please follow the table below for the fee payable. Firstly determine which rateable value band your premises falls within.

The fee can be paid by card by calling Customer Services on 01636 650000. The Council no longer accepts payment by cheque.

RATEABLE VALUE	BAND
No rateable value to £4,300	A
£4,301 to £33,000	B
£33,001 to £87,000	C
£87,001 to £125,000	D
£125,001 and above	E

TYPE OF APPLICATION	BAND A	BAND B	BAND C	BAND D	BAND E
New premises licence where the primary purpose is the sale/supply of alcohol for consumption on the premises and variations to premise licence	£100	£190	£315	£900	£1,905
All other New Premises licences	£100	£190	£315	£450	£635
New Club premises certificate and variation to Club premise certificate	£100	£190	£315	£450	£635

ANNUAL FEE	BAND A	BAND B	BAND C	BAND D	BAND E
	£70	£180	£295	£320	£350

Additional fee for New Premise Licence relating to large capacity events held in premises other than in permanent structures constructed or altered for the purpose of the licensable activities proposed

NUMBER IN ATTENDANCE AT ANY ONE TIME	ADDITIONAL FEE
5,000 to 9,999	£1,000
10,000 to 14,999	£2,000
15,000 to 19,999	£4,000
20,000 to 29,999	£8,000
30,000 to 39,999	£16,000
40,000 to 49,999	£24,000
50,000 to 59,999	£32,000
60,000 to 69,999	£40,000
70,000 to 79,999	£48,000
80,000 to 89,999	£56,000
90,000 and over	£64,000

**For applications submitted by post, copies must be sent to the following authorities:**

<p>Licensing Section Licensing &amp; Enforcement Newark and Sherwood District Council Castle House Great North Road Newark on Trent NG24 1BY request@nsdc.info</p>	<p>Public Health Dr Chris Kenney NHS Nottinghamshire County Public Health Directorate County Hall Nottingham NG2 7QP licen.sing@nottsc.gov.uk</p>
<p>Nottinghamshire Fire &amp; Rescue Service Fire Protection North Group Mansfield Fire Station Rosemary Street Mansfield NG19 6AB fireprotectionnorth@notts-fire.gov.uk</p>	<p>Immigration Home Office Alcohol Licensing Team Lunar House 40 Wellesley Road Croydon CR9 2BY alcohol@homeoffice.gsi.gov.uk</p>
<p>The Chief Constable Nottinghamshire Police HQ (CJ) Liquor Licensing Mansfield Police Station Great Central Road Mansfield NG18 2HQ liquor.licensing@nottinghamshire.pnn.police.uk</p>	<p>Project Manager Safeguarding Children Social Services Department Children &amp; Young People Service C/o County Hall West Bridgford Nottingham NG2 7QP Jane.halls@nottsc.gov.uk</p>
<p>The Head of Planning Newark &amp; Sherwood District Council Castle House Great North Road Newark on Trent NG24 1BY planning@nsdc.info</p>	<p>The Environmental Manager Newark &amp; Sherwood District Council Castle House Great North Road Newark on Trent NG24 1BY Environmental.health@nsdc.info</p>
<p>Trading Standards Services Nottinghamshire County Council County House 100 Chesterfield Road South Mansfield NG19 7AQ Trading.standards@nottsc.gov.uk</p>	<p>Health &amp; Safety Executive Nottingham Office City Gate West Toll House Hill Nottingham NG1 5AT <b>(For non-commercial and public bodies only, e.g Council owner bodies)</b></p>
<p>The Maritime &amp; Coastguard Agency Eastern Region Crosskill House Mill Lane Beverley HU17 9JB <b>(For vessels)</b></p>	<p>The British Waterways Board The Kiln Mather Road Newark on Trent NG24 1FB <b>(For vessels)</b></p>
<p>The Environment Agency Trentside Offices West Bridgford Nottingham NG2 5FA <b>(For vessels)</b></p>	

**Certificate of Service to be submitted with the application form if submitting by post**

1. *Insert name and address of premises*

2. *Insert name and status in relation to application e.g. applicant*

3. *Insert address*

1.

.....  
.....  
.....

2.

I, .....

*Status* .....

3.

Of .....

.....

certify that I have served a copy of:

- The application form
- *Insert all other enclosures sent e.g. plan*
- .....
- .....
- .....
- .....

4.

To the recipients set out below on .....

**Recipients**

To: The Licensing Officer, Newark and Sherwood District Council, Castle House, Great North Road, Newark. NG24 1BY

To: Responsible Authorities – *enter the names and addresses of the responsible authorities served;*

To: .....

By .....

Signed: .....

Dated: .....

# LICENSING ACT 2003

## NOTICE OF NEW PREMISES LICENCE/CLUB PREMISES CERTIFICATE

PREMISES	<i>(Name and full postal address)</i>
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Notice is given that *(Name or Company Name)*

..... has applied to Newark & Sherwood District Council for a new Premises Licence or Club Licence Certificate under the Act 2003.

The proposed use/variation is:
<i>Briefly describe the proposed use:</i>

Anyone who wishes to make representations regarding this application must give notice in writing to: The Licensing Manager, Newark & Sherwood District Council, Castle House, Great North Road, Newark, Notts, NG24 1BY.

Representations must be received no later than *(date)*.....*(this should be no less than 28 days after the day on which the application was received by the Licensing Authority)*

The application record and register may be viewed during normal office hours at the above address.

It is an offence under section 158 of the Licensing Act 2003 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 is up to level 5 on the standard scale (£5,000)

### **Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

#### **Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A full birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person's

permanent National Insurance number and their name issued by a Government agency or a previous employer.

- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - working e.g. employment contract, wage slips, letter from the employer,
    - self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.