

**Important document
Please read carefully**

Sevenoaks District Council

Briefing notes for the Licensing Act 2003



Urdu

یہ نجات اہم کاغذات ہیں
اگر آپ کو انگریزی پڑھنے یا لکھنے میں دشواری پیش ہو تو براہ مہربانی کسی ایسے شخص سے رجوع کریں جو انہیں پڑھ کر آپ کو لکھا کرے

這些是十分重要的文件。如果你有困難
看懂英文，請馬上向別人求助。

Chinese

Punjabi

ਇਹ ਕਾਗਜ਼ ਬੜੇ ਜ਼ਰੂਰੀ ਹਨ । ਜੇ ਤੁਹਾਨੂੰ ਅੰਗਰੇਜ਼ੀ ਪੜ੍ਹਨ ਜਾਂ ਸਮਝਣ ਵਿਚ ਮੁਸ਼ਕਲ ਆਉਂਦੀ ਹੈ, ਤਾਂ ਕਿਰਪਾ ਕਰਕੇ ਕਿਸੇ ਔਸੇ ਵਿਅਕਤੀ ਨਾਲ ਸੰਪਰਕ ਕਰੋ ਜਿਹੜਾ ਤੁਹਾਡੀ ਜਲਦੀ ਸਹਾਇਤਾ ਕਰ ਸਕੇ ।

هذه الأوراق مهمة جدا. إذا وجدت أي صعوبة في قراءة أو فهم اللغة الانكليزية، يرجى الاتصال بأي شخص يمكنه مساعدتك حالا.

Arabic

Gujarati

આ કાગળો બહુ મહત્વના છે. જੇ તમને અંગ્રેજી વાંચવા અથવા સમજવામાં મુશ્કેલી પડે તો, કૃપા કરી તમને તાત્કાલિક સહાય કરી શકે એવી કોઇ વ્યક્તિનો સંપર્ક સાધો.

NHỮNG GIẤY TỜ NÀY RẤT QUAN TRỌNG. NẾU QUÝ VỊ CÓ KHÓ KHĂN ĐỂ ĐỌC HOẶC HIỂU TIẾNG ANH, XIN NHỜ MỘT NGƯỜI NÀO ĐÓ GIÚP QUÝ VỊ NGAY LẬP TỨC

Vietnamese

Bengali

এই কাগজ-পত্রগুলো খুবই গুরুত্বপূর্ণ। ইংরেজী পড়তে বা বুঝতে আপনাদের সমস্যা হলে অনুগ্রহ করে কারিগরে এমন কারো সাথে যোগাযোগ করবেন যিনি আপনাকে সাহায্য করতে পারবেন।

यह कागज़ बहुत महत्वपूर्ण है । यदि आप को अंग्रेज़ी पढ़ने या समझने में कठिनाई आती हो तो कृपया किसी ऐसे व्यक्ति से सम्पर्क करें जो आप की शीघ्र ही सहायता कर सके ।

Hindi

These papers are very important. If you have difficulty reading or understanding English, please contact someone who can help you immediately.

If you need help communicating with us or understanding this document, we can arrange for an interpreter to help you. Please contact us on 01732 227339 stating your language and telephone number.



Introduction

On behalf of the licensing team at Sevenoaks District Council we welcome you to the new Licensing Act 2003.

In this document we have detailed the steps you will need to go through in considering which licence will be best for you.

The main thing is not to worry or panic. We are here to help you through the application process, and are very happy to advise you on the best course of action. Please do not hesitate to contact us if you require any further information, have any questions or require any general advice.

A full set of licensing application forms are available on our website and you will be able to track the status of your application once it has been accepted and acknowledged. We will write to you with your application reference number. Please watch the website for any changes.

We want every business who is affected by the Licensing Act 2003 to be successful, however we must balance a resident's concern who needs a safe, peaceful lawful environment as well as a good night's sleep.

Licensing Team
Sevenoaks District Council



Contents

- Overview of Licensing Act 2003
- Licensable activities
- Applications, notices, representations and reviews
- Plans
- Advertising of applications
- Notice to responsible authorities
- Temporary Event Notices
- Licensing objectives
- Contacts
- Fees



Overview of the Licensing Act 2003

The Licensing Act 2003 governs the grant of licences for regulated entertainment, the sale and/or supply of alcohol and the sale of late night refreshments.

All applications must be made to the local licensing authority, in this area Sevenoaks District Council.

A premises licence will be required wherever a 'licensable activity' takes place.

A personal licence is needed by anyone who wishes to sell alcohol as part of their business and/or is a Designated Premises Supervisor (DPS).

A club premises certificate will be required by clubs wherever a 'licensable activity' takes place.

Any person wishing to hold an occasional event involving one or more of the licensable activities must submit a Temporary Event Notice. The event must last no more than 96 hours and with no more than 499 persons attending.

All fees are to be set by Central Government, not by the licensing authority.



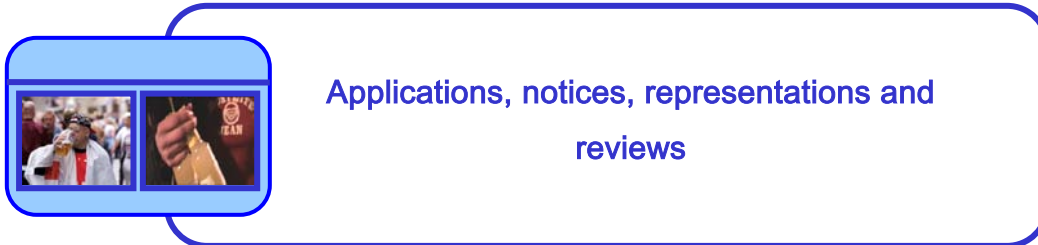
- The sale by retail of alcohol (e.g. pay for drinks at a bar or be provided with alcoholic drink as part of the ticket price.)
- The supply of alcohol in a club premises.
- The provision of regulated entertainment
 - Performance of live music
 - Playing of recorded music (not background music)
 - Performance of a dance
 - Entertainment similar to music and dancing
 - Performance of a play
 - Exhibition of a film
 - Indoor sporting events
 - Boxing or wrestling entertainment
- Providing facilities to allow regulated entertainment to take place
- The provision of late night refreshment (hot food and hot drinks) between 23:00 and 05:00 hours (if you run a kebab shop or provide take-away food, and trade after 11pm, this will affect you)

This means holding relevant entertainments:

- for members of the public
- for members of a club
- or in any other case, for consideration and with a view to profit

Exempt Events

- Live music or recorded music which is incidental to some other activity, for example, shopping, hairdressing, religious worship
- Using TV and radio for the simultaneous reception and playing of normal TV / radio programmes
- Given at a place of religious worship
- Entertainment at a garden fête or similar event unless the event is held with a view to private gain
- Morris dancing



Premises licences

- a premises licence
- a provisional statement
- a variation of a premises licence
- a variation of a designated premises supervisor
- a review of a premises licence
- transfer of a premises licence
- persons giving interim authority notice
- rights of freeholder etc. to be notified of licensing matters
- change of name and/or address

Club premises

- a club premises certificate
- a variation of club premises certificates
- qualifying club declaration form
- a review of club premises certificates
- change of secretary/rules

Representations

An interested party or a responsible authority making representations to a relevant licensing authority, may make those representations –

- a) in the case of a review of a premises licence following a closure order, at any time up to and including seven days starting on the day after the day on which the authority received the notice under section 165 (4) in relation to the closure order and any extension to it;
- b) in any other case, at any time during a period of 28 consecutive days starting on the day after the day on which the application to which it relates was given to the authority by the applicant.

Frivolous or vexatious representations

Where the relevant licensing authority notifies the person who made the representations that the representations are frivolous or vexatious as the case requires, that notification shall be given in writing to the person who made the representations and as soon as is reasonably practicable and in any event before the determination of the application to which the representations relate.

Notification that any ground for review is frivolous or vexatious.

Where the relevant licensing authority rejects a ground for a review under section 51(4) (b) or section 87(4) (b) it shall give notification in writing as soon as is reasonably practicable to the person making the application for a review.



Standard scale plans (1 millimetre represents 100 millimetres)

23. (1) An application for a premises licence under section 17, or a club premises certificate under section 71, shall be accompanied by a plan of the premises to which the application relates and which shall comply with the following paragraphs of this regulation.

(2) Unless the relevant 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 in that alternative scale, the plan shall be drawn in standard scale.

(3) The plan shall show—

- (a) 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;
- (b) the location of points of access to and egress from the premises;
- (c) if different from sub-paragraph (3)(b), the location of escape routes from the premises;
- (d) in a case where the premises is to be used for more than one licensable activity, the area within the premises used for each activity;
- (e) 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;
- (f) 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;
- (g) in a case where the premises includes any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts;
- (h) in the case where the premises includes any room or rooms containing public conveniences, the location of the room or rooms;
- (i) the location and type of any fire safety and any other safety equipment** including, if applicable, marine safety equipment; and
- (j) the location of a kitchen, if any, on the premises.

(4) The plan may include a legend through which the matters mentioned or referred to in paragraph (3) are sufficiently illustrated by the use of symbols on the plan.



From section 25 from the Regulations.

- (a) for a period of no less than 28 consecutive days starting on the day after the day on which the application was given to the relevant licensing authority, by displaying a notice,
 - (i) which is—
 - (aa) of a size equal or larger than A4,
 - (bb) of a pale blue colour,
 - (cc) printed legibly in black ink or typed in black in a font of a size equal to or larger than 16;
 - (ii) in all cases, prominently at or on the premises to which the application relates where it can be conveniently read from the 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 form and subject to the same requirements every fifty metres along the external perimeter of the premises abutting any highway; and
- (b) by publishing a notice—
 - (i) in a local newspaper or, if there is none, in a local newsletter, circular or similar document, circulating in the vicinity of the premises;
 - (ii) on at 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 licensing authority.

Please note

On receipt of applications at Sevenoaks District Council's licensing department, they will be checked to ensure they are completed correctly, and then you will be informed in writing that the 28 day period for displaying notices can start. Your application reference number will be sent to you at this point. A template of the public notice and the advert will be sent with the acknowledgement letter in some circumstances. You will need to insert the activities and hours on the notice.

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.



Responsible authorities

<p>West Kent Fire Safety Office 424 Vale Road Tonbridge Kent TN9 1SW</p> <p>Tel: 01732 369429</p>	<p>PC Mark Beresford Police Licensing and Drugs Officer Sevenoaks District Council Argyle Road Sevenoaks Kent TN13 1HG</p> <p>Tel: 01732 379375 Mobile: 07980 683610</p> <p>Email: licensing.officer.sevenoaks@kent.pnn.police.uk</p>
<p>Peter Tree District Manager - Children & Families KCC Social Services The Willows Hilda May Avenue Swanley Kent. BR8 7BT</p>	<p>Kent County Council Trading Standards 1st Floor, Invicta House County Hall Maidstone Kent. ME14 1XX</p> <p>Tel: 01622 221012 Fax: 01622 221013</p>

Sevenoaks District Council licensing authority would advise you to inform the relevant town and parish council of your application (information available on the Council’s website).

All licence applications sent in to the Licensing Team at Sevenoaks will be scrutinized by Environmental Health (Environmental Protection and Health and Safety) and Planning. This means that there is no need to send separate documents to these consultees. In cases where a notification should be sent to the ‘Health and Safety Executive,’ we will send this document on your behalf.

We will have a status report on our website on current licence applications being processed.



Temporary Event Notices

The Licensing Act 2003 ("the Act") has introduced a new system of permitted temporary activities to replace the existing occasional licences and occasional permissions previously granted in connection with short-term alcohol and public entertainment licensing. The system involves an event organiser (the "premises user") giving a temporary event notice (TEN) to the **licensing authority** and copying this to the **relevant police authority for your area**.

Licensing authority	West Kent Police
Licensing Partnership Sevenoaks District Council Council Offices PO Box 182 Sevenoaks Kent. TN13 1GP	PC Mark Beresford Police Licensing and Drugs Officer Sevenoaks District Council Argyle Road Sevenoaks Kent TN13 1HG
Tel: 01732 227004 Fax: 01732 742339	Tel: 01732 379375 Mobile: 07980 683610 Email: licensing.officer.sevenoaks@kent.pnn.police.uk

TENs can be used to authorise relatively small-scale ad hoc events held in or on any premises involving no more than 499 people at any one time. ***The premises user must give duplicate copies of the notice to the relevant licensing authority, together with the fee of £21, no later than 10 working days before the day on which the event is to start.*** A copy of the notice must also be given to the relevant chief officer of police no later than 10 working days before the day on which the event is to start. Anyone aged 18 or over can hold a maximum of five TENs per year. Personal licence holders can hold a maximum of fifty TENs per year. TENs are subject to other maximum limits, as set out below.

Each event covered by a TEN can last up to 96 hours and no more than twelve TENs can be granted in respect of any particular premises in any year. This is subject to a maximum aggregate duration of the periods covered by TENs at any individual premises of 15 days in any year. There must be a minimum of 24 hours between events notified by a premises user or associates of that premises user in respect of the same premises.

Provided that the criteria set out above are met, only the police may intervene to prevent an event covered by a TEN notice taking place or agree a modification of the arrangements for such an event and then only on crime prevention grounds.

For more information about TENs please contact the licensing team.

Licensing Objectives

The prevention of crime and disorder

- factors that impact on crime and disorder**
- Underage drinking
 - Drunkenness on premises
 - Public drunkenness
 - Drugs
 - Violent behaviour
 - Anti-social behaviour
 - Irresponsible drinks promotions

- examples of control measures**
- Effective and responsible management of premises
 - Training and supervision of staff
 - Adoption of best practice guidance (e.g. Safer Clubbing)
 - Acceptance of accredited 'proof of age' cards and/or 'new type' driving licences
 - Provision of effective CCTV
 - Employment of security industry Authority licensed door staff.
 - Provision of toughened or plastic glasses
 - Provision of secure deposit boxes for confiscated items ('sin bins')
 - Provision of litterbins and other security measures, such as outside lighting

Public safety

- factors that impact on the standards of public safety**
- The occupancy capacity of the premises
 - The age / design / layout of the premises
 - The nature of the licensable activities to be provided
 - The hours of operation
 - Customer profile (e.g. age, disability)
 - The use of special effects such as lasers pyrotechnics, smoke machines, etc.

- examples of control measures**
- Suitable and sufficient risk assessments
 - Means of escape
 - Means of giving warning
 - Fire fighting equipment
 - Emergency lighting
 - Effective and responsible management of premises
 - Provision of a sufficient number of people employed or engaged to secure the safety of the premises and patrons
 - Appropriate instruction, training and supervision of those employed
 - Adoption of best practice guidance
 - Provision of effective CCTV in and around premises
 - Provision of toughened or plastic glasses
 - Implementation of crowd management measures

The prevention of public nuisance

- factors that impact on the likelihood of public nuisance**
- The location of premises
 - The hours of operation
 - The nature of activities to be provided
 - The design and layout of premises
 - Emission of noise / music from the premises
 - The occupancy capacity
 - The availability of public transport
 - Last admission time
 - Dispersal of staff from premises
 - Dispersal of patrons
 - Local residential premises
 - CCTV / registered door supervisors
 - Parking by patrons
 - The likelihood of any violence
 - Taxis disturbing local residents
 - The position of external lighting
 - Problems of litter in the vicinity
 - History of previous complaints
 - Strong promotional activities / happy hours

- examples of control measures**
- Responsible management of premises
 - Appropriate instruction, training and supervision to prevent incidents of public nuisance
 - Control of operating hours
 - Adoption of best practice guidance
 - Installation of soundproofing, air conditioning, sound limitation devices
 - Management of people
 - Liaison with public transport providers
 - Position of external lighting
 - Collection and disposal of litter
 - Effective ventilation systems

The protection of children from harm

- factors that impact the protection of children from harm**
- Purchase, acquire or consume alcohol
 - Be exposed to drugs, drug taking or drug dealing
 - Be exposed to gambling
 - Be exposed to activities of an adult or sexual nature
 - Be exposed to incidents of violence or disorder
 - Be exposed to environmental pollution
 - Be exposed to special hazards

- examples of control measures**
- Effective and responsible management of premises
 - Provision of a sufficient number of people to secure the protection of children from harm
 - Appropriate instruction, training and supervision of those employed
 - Adoption of best practice guidance
 - Limitations on the hours when children may be present in the premises
 - Limitations or exclusions by age when certain activities are taking place
 - Imposition of requirements for children to be accompanied by an adult
 - Acceptance of accredited 'proof of age' cards for example "Connexions Card"
 - An official identity card issued by HM Forces or by a EU country bearing the photograph and date of birth of bearer



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Sevenoaks

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Web: www.sevenoaks.gov.uk

Fax: 01732 742339

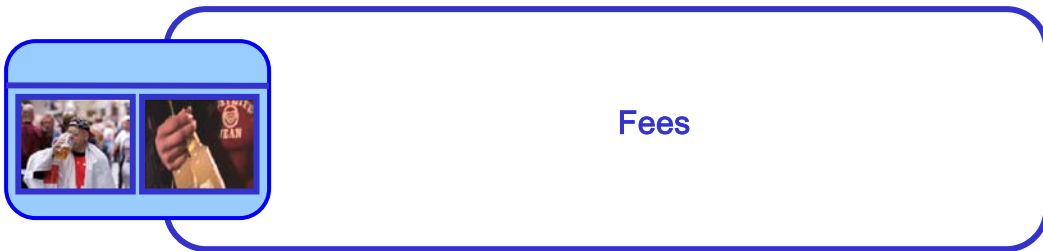


**RATEABLE VALUE BANDS AND FEES FOR PREMISES LICENCES AND CLUB
PREMISES CERTIFICATES**

Rateable Value	Band	Fees
No rateable value to £4300	A	£100
£4301 to £33,000	B	£190
£33,001 to £87,000	C	£315
£87,001 to £125,000	D	£450
£125,001 and above	E	£635

ADDITIONAL FEE

Number	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



**ANNUAL FEE
PART 1**

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

PART 2

Number	Additional fee
5,000 to 9,999	£500
10,000 to 14,999	£1,000
15,000 to 19,999	£2,000
20,000 to 29,999	£4,000
30,000 to 39,999	£8,000
40,000 to 49,999	£12,000
50,000 to 59,999	£16,000
60,000 to 69,999	£20,000
70,000 to 79,999	£24,000
80,000 to 89,999	£28,000
90,000 and over	£32,000



**PERMITTED TEMPORARY ACTIVITIES, PERSONAL LICENCES
AND MISCELLANEOUS**

Application or notice	Fee
section 25 (theft, loss, etc. of premises licence or summary)	£10.50
section 29 (application for a provisional statement where premises being built etc.)	£315.00
section 33 (notification of change of name or address)	£10.50
section 37 (application to vary licence to specify individual as premises supervisor)	£23
section 42 (application for transfer of premises licence)	£23
section 47 (interim authority notice following death etc. of licence holder)	£23
section 79 (theft, loss etc. of certificate or summary)	£10.50
section 82 (notification of change of name or alteration of rules of club)	£10.50
section 83(1) or (2) (change of relevant registered address of club)	£10.50
section 100 (temporary event notice)	£21
section 110 (theft, loss etc. of temporary event notice)	£10.50
section 117 (application for a grant or renewal of personal licence)	£37
section 126 (theft, loss etc. of personal licence)	£10.50
section 127 (duty to notify change of name or address)	£10.50
section 178 (right of freeholder etc. to be notified of licensing matters)	£21



Church, chapel, village, parish and community halls

No fee or annual charge is payable by church halls, chapel halls, village halls, parish halls and community halls or other premises of a similar nature for a premises licence authorizing the provision of regulated entertainment only. The costs associated with these licences will be met by Central Government.

Schools and colleges

No fee or annual charge is payable by a school providing education for pupils up to Year 13 (or a sixth form college) for a premises licence authorizing the provision of regulated entertainment only. The regulated entertainment must be carried out by the educational establishment at the premises for the purposes of the educational establishment. Again the costs of these licences will be met by Central Government.

Please note

The fees published here are the fees that will cover the majority of premises with Sevenoaks District Council, however there are special differences to premises in category "D" and "E" in town centres, and where the premises is exclusively for the sale of alcohol.

Please look at the fee schedules on the Department of Culture Media and Sport web site – www.culture.gov.uk for further detailed information, or contact us at the licensing team.

All fees should be made payable to Sevenoaks District Council. We are able to accept payments over the telephone please contact the licensing team in the first instance.