

If calling please ask for: Customer Services
01243 534740
E-mail
contact@chichester.gov.uk

Our ref: LA43

Your ref:

Dear Sir or Madam

Licensing Act 2003 – Section 34 Enquiry - Premises Licence Variation Application

Thank you for the recent enquiry regarding submitting a Premises Licence variation application.

Please find enclosed the appropriate forms and a copy of our guidance booklet entitled, '*Premises Licence (New and Full Variation Applications) Applicant Guidance – Licensing Act 2003*' (the 'Applicant Guidance') that will assist with the submission of a correct application.

Please note that a variation application cannot be used to vary the existing Premises Licence so as to extend the period of time for which the licence has effect, or to vary substantially the premises to which it relates. It you wish to make this type of change, then a completely new Premises Licence application must be submitted under Section 17 of the Licensing Act 2003 (the 'Act').

Shown below and overleaf are the various steps that must be taken to ensure a valid application is submitted. Please note that if any of the requirements are not complied with, then this Licensing Authority will not regard the application as having been properly made.

1. Application form – **Form L11**.
2. Supervision of alcohol sales - If this application is seeking to add the retail sale of alcohol as a licensable activity, then in the majority of cases a separate application to vary the Designated Premises Supervisor (the 'DPS', who must be the holder of, or who has applied for, a Personal Licence) will also have to be submitted. However, where the holder of the Premises Licence is a Committee or Board of individuals with responsibility for the management of the premises, and the premises is considered a 'community premises', then an additional form can be submitted with this application requesting that the Committee or Board of individuals are made responsible for all alcohol sales – **Form L70**. A copy of this form will have been included if considered appropriate.

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3. The fee (see the section titled '*Fees*' of the Applicant Guidance booklet).
4. If the application will result in an amendment to the plan originally approved by the Licensing Authority, then a new revised plan in accordance with the Regulations is required (see the section titled '*Plan of Premises*' of the Applicant Guidance booklet).
5. The original copy of the existing Premises Licence that is in force at the premises (both Parts A and B) must be returned. If this is not practicable, a statement of the reasons for the failure to provide the licence is required. When sending in the originals, we would suggest that a photocopy is retained at the premises whilst the application is being processed.
6. The application must be advertised. There are two very specific requirements that include displaying and publishing a Notice (see the section titled '*Advertising Applications*' of the Applicant Guidance booklet). Please also complete and return the enclosed '*Advertising Declaration*' form – **Form L30**. We also ask that you provide a copy of the Notice advertising the application that will be displayed at the premises.
7. A copy of the application, along with any documents accompanying it, must be submitted to each of the 'Responsible Authorities' specified in the Act (except, if appropriate, **Form L70** which need only be sent to the Licensing Authority and Sussex Police), on the same day on which the application is given to the Licensing Authority (see the section titled '*Responsible Authorities Addresses*' of the Applicant Guidance booklet for full contact details of all Responsible Authorities). We would strongly recommend that when submitting the application to the Responsible Authorities, that it is sent using a postal service that provides for proof of delivery.

Please do not hesitate to contact us should you wish to discuss any aspect of the application prior to its formal submission.

Yours faithfully

Licensing Team
Housing & Environment Services