

Guidance Notes to Applicants on advertising requirements

Introduction

This guidance is for applicants for new premises licences and club premises certificates. It specifies the information that must go in newspaper advertisements and in notices displayed on the premises during the application period.

There is a template at the end of this guidance. This document is available by email or from our website, to enable you to word process the template.

These Guidance Notes are not comprehensive, or a substitute for reading the legislation. For more detailed, technical, or legal advice, you should consult professional advisors.

Who has to advertise the application?

The person who made the application, who can be;

- An individual (e.g. a 'sole trader');
- Several individuals (e.g. a partnership, or unincorporated association such as clubs);
- A company, or other incorporated organisation (e.g. limited liability businesses, and charities), and;
- Other prescribed persons such as agents or solicitors for any of the above.

The applicant is responsible for advertising the application during the application period;

- Within ten working days of making the application, in a newspaper circulating in the area, and;
- On a statutory pale blue notice (A4 or larger) displayed on the premises and clearly visible from the exterior, for the full 28 days of the application period.

What is the application period?

The application period starts on the day after the day after you post the application, or on the day after the day of receipt if it is hand delivered.

The application period lasts 28 days.

The contents of the advertisement

There is a template for the blue notice for new premises licence applications provided at the end of this document.

The advertisement must contain the following information

The name of the applicant or club;

The postal address of the premises or club premises, if any, or if there is no postal address for the premises a description of those premises sufficient to enable the location and extent of the premises or club premises to be identified;

The licensable activities that you propose to carry on at the premises;

The following statement; the application may be inspected at East Herts Council Offices, Wallfields, Pegs lane, Hertford SG13 8EQ.

Interested parties or responsible authorities may make representations in writing to East Herts Council by [date 28 days from the day after date the application was given to the Council, see above].

It is an offence knowingly or recklessly to make a false statement in connection with an application and on summary conviction for the offence a person is liable to a maximum fine of £5000.

The notice must use point size 16 or larger in black printed on pale blue A4 or larger paper.

Notices of applications to vary a premises licence or a club premises certificate must give a brief description of the proposed changes in the application (what is different from your existing rights and restrictions);

Extra notices on large premises

If the premises covers an area more than 50 metres square, you must display a further notice in the same form for the same length of time, every fifty metres along the external perimeter of the premises abutting any highway.

What happens next?

If there are no representations within the 28 days, a complete application form has been submitted with the appropriate fees and relevant documents, and appropriate notices have been placed in the papers and on the premises, the licence will be granted by officers under delegated powers.

If representation from interested parties (residents living in the vicinity) or Responsible Authorities has been received, Community Protection Officers will decide whether the representation is valid, and if so will attempt to arrange a mediation meeting between the parties to try and find a reasonable compromise. If this informal process is unsuccessful, the application will be determined at a public hearing in front of a licensing sub-committee. All relevant parties will be notified of the hearing, and of the decision.

The applicant and 'interested parties' have a right to appeal against the decision of the licensing sub-committee, to the Magistrates Court within 21 days of the decision notice. The decision notice will give details of which court office to apply to.

Need Help?

Community Protection Section officers can check applications notices for you before you submit them, and offer help and guidance. Alternatively, you may wish to pay a reputable licensing professional such as a solicitor or consultant to make your application.

Contact Details

Consultation with responsible authorities is encouraged prior to the submission of new applications for premises licences.

Contact details:

Community Safety and Licensing
Wallfields, Pegs Lane
Hertford SG13 8 EQ

Tel No. – 01992 531467

Email – 'community.protection@eastherts.gov.uk'

Notice Template

See next page.

This document is available by email, or from our web site, to allow you to word process the template and adapt it for your own use.

For the notice displayed on the premises, the font size must be kept to at least point size 16, and it must be printed in black ink on pale blue paper.

For the copy emailed to the newspaper, the point size can be reduced to 6, and all the line breaks and square brackets can be removed, to save space and cost.

Notice of application by [name of applicant] [for] [to vary] a premises licence under the Licensing Act 2003 to carry on the [following][additional] licensable activities;

Exhibition of films [indoors][outdoors][indoors and outdoors]

Performances of plays [indoors][outdoors][indoors and outdoors]

Indoor Sporting Events

Boxing and wrestling entertainment [indoors][outdoors][indoors and outdoors]

Live music [indoors][outdoors][indoors and outdoors]

Recorded music [indoors][outdoors][indoors and outdoors]

Performances of dance[indoors][outdoors][indoors and outdoors]

Anything of a similar description to live and recorded music and dance [indoors][outdoors][indoors and outdoors]

Provision of facilities for making music [indoors][outdoors][indoors and outdoors]

Provision of facilities for dance [indoors][outdoors][indoors and outdoors]

Provision of facilities for entertainments of a similar description to music and dance [indoors][outdoors][indoors and outdoors]

The sale by retail of alcohol for consumption [on][off][on and off] the premises

Late night refreshment for consumption [on][off][on and off] the premises

At [address of premises **or** where there is no address, a description sufficient to allow the location and extent of the premises to be identified].

The application may be inspected at East Herts Council Offices, Wallfields, Pegs Lane, Hertford, SG13 8EQ between 09:00 and 17:00 on weekdays.

Interested parties or responsible authorities may make representations in writing to East Herts Council by [date 28 days from the day after date the application was given to the Council].

It is an offence knowingly or recklessly to make a false statement in connection with an application and on summary conviction for the offence a person is liable to a maximum fine of £5000.