
STATUTORY INSTRUMENTS

2009 No. 1809

The Licensing Act 2003 (Premises Licences and Club Premises Certificates) (Miscellaneous Amendments) Regulations 2009

Premises licences and club premises certificates: forms, representations, notices and advertisement of applications

2.—(1) The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005⁽¹⁾ are amended as follows.

(2) In regulation 2(1) after the definition of “the Act” insert—

““alternative licence condition” in relation to a premises licence means the condition that every supply of alcohol under the licence must be made or authorised by the management committee;”.

(3) For regulation 10 substitute—

“Premises licences

10.—(1) An application for a premises licence under section 17 shall be in the form and shall contain the information set out in Schedule 2 and shall be accompanied by the prescribed fee.

(2) Where the application includes an application for the alternative licence condition to be included in the licence the application shall be accompanied by the information set out in Schedule 4A in the form there set out.”.

(4) For regulation 12 substitute—

“Variation of premises licence

12.—(1) Subject to paragraph (2) and regulation 13A, an application to vary a premises licence under section 34 shall be in the form and shall contain the information set out in Schedule 4 and shall be accompanied by the prescribed fee.

(2) Where the application includes an application for the alternative licence condition to be included in the licence the application shall be accompanied by the information set out in Schedule 4A in the form there set out.”.

(5) In regulation 13 omit the words after “prescribed fee”.

(6) After regulation 13, insert—

“Variation of premises licence solely to include the alternative licence condition

13A. An application to vary a premises licence under section 34 in which the only variation sought is the inclusion of the alternative licence condition shall be in the form and shall contain the information set out in Schedule 4A and shall be accompanied by the prescribed fee.

(1) [S.I. 2005/42](#). Those Regulations were amended by [S.I. 2007/2502](#).

Minor variation of premises licence

13B. An application for minor variation of a premises licence under section 41A shall be in the form and shall contain the information set out in Schedule 4B and shall be accompanied by the prescribed fee.”.

- (7) In regulation 19 omit the words after “prescribed fee”.
- (8) After regulation 19 insert—

“Minor variation of club premises certificates

19A. An application for minor variation of a club premises certificate under section 86A shall be in the form and shall contain the information set out in Schedule 4B and shall be accompanied by the prescribed fee.”.

- (9) In regulation 21(1) after “representations” insert “(other than representations of the kind referred to in section 41B(2)(b)(i) or 86B(2)(b)(i))”.
- (10) In regulation 22 after “representations” where it first occurs, insert “(other than representations of the kind referred to in section 41B(2)(b) or 86B(2)(b))”.
- (11) In regulation 25 after “section 34” insert “(except where the only variation sought is the inclusion of the alternative licence condition)”.
- (12) After regulation 26 insert—

“Advertisement of applications: minor variations

26A.—(1) In the case of an application for minor variation of a premises licence or club premises certificate (under section 41A or 86A respectively) the person making the application shall advertise the application for the required period—

- (a) by displaying a notice which complies with paragraph (2) prominently at or on the premises to which the application relates so that it can be conveniently read from the exterior of the premises, and
 - (b) if any part of the external perimeter of the premises that is one hundred or more metres in length abuts a public highway or other place accessible to the public, by displaying such a notice at least every fifty metres along that part of the perimeter.
- (2) A notice complies with this paragraph if—
- (a) it is—
 - (i) white,
 - (ii) of a size equal to or larger than A4,
 - (iii) printed legibly in black ink or typed in black;
 - (b) it includes the following information—
 - (i) in the case of an application under section 41A, at or near the top of the notice the heading “Licensing Act 2003: Minor Variation of Premises Licence”,
 - (ii) in the case of an application under section 86A, at or near the top of the notice the heading “Licensing Act 2003: Minor Variation of Club Premises Certificate”,
 - (iii) a brief description of the proposed variation or variations,
 - (iv) the name of the applicant or club,

- (v) 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,
 - (vi) the postal address and, where applicable, the worldwide web address where the register of the relevant licensing authority is kept and where and when the record of the application may be inspected,
 - (v) the date by which an interested party may make representations to the relevant licensing authority,
 - (vi) that 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;
 - (c) the information referred to in subparagraph (b)(i) or (ii) above is printed or typed in a font of a size equal to or larger than 32;
 - (d) the remainder of the notice is printed or typed in a font of a size equal to or larger than 16.
- (3) In this regulation “the required period” is the continuous period beginning on the first working day after the day on which the application was given to the relevant licensing authority and ending at the expiry of the ninth consecutive working day after that day.”
- (13) In regulation 27 after “section 34” insert “(except where the only variation sought is the inclusion of the alternative licence condition)”.
- (14) For Regulation 28 substitute—

“Notice to chief officer of police etc.

- 28.**—(1) In a case to which this paragraph applies a person making an application or giving a notice shall give a copy of the application or notice, together with its accompanying documents (if any) to the chief officer of police on the same day as the day on which the application is given to the relevant licensing authority.
- (2) Paragraph (1) applies to—
- (a) an application of the kind referred to in regulation 10(2), 12(2) or 13A (an application for the inclusion of the alternative licence condition);
 - (b) an application to vary a premises licence under section 37 (to specify an individual as premises supervisor);
 - (c) an application for the transfer of a premises licence under section 42;
 - (d) the giving of an interim authority notice under section 47.
- (3) In a case falling within paragraph (2)(b) the person making the application shall in addition give to the designated premises supervisor (if any) a copy of the application together with its accompanying documents (if any) on the same day as the day on which the application is given to the relevant licensing authority and the chief officer of police.”
- (15) After Schedule 4, insert Schedules 4A and 4B as set out in the Schedule to these Regulations.