



West Wiltshire District Council

Licensing Act 2003

Premises Licence

LL103

Changing the Designated Premises Supervisor (DPS) on a Premises Licence

This guidance includes application forms

**West Wiltshire District Council
Licensing Team
Council Offices
Bradley Road
Trowbridge
Wiltshire
BA14 0RD**

**Tel 01225 776655
e-mail licensing@westwiltshire.gov.uk
www.westwiltshire.gov.uk**

This document is dated 25 April 2007. Updated versions may be available on the Council's website.

Changing the Designated Premises Supervisor (DPS) on a Premises Licence

This guidance is for those who wish to change the Designated Premises Supervisor (DPS) on an existing Premises Licence.

The DPS is normally the person who has been given day to day responsibility for running the premises by the Premises Licence holder. This means that they may face prosecution themselves if offences take place on the premises, whether they are present at the time or not.

The change of DPS can take effect immediately the application takes place although the Police can, in exceptional circumstances, object but only on the grounds of crime prevention. They can also request a review of a Premises Licence if there are issues about the performance of a DPS.

Premises can only have one DPS and it is an offence to sell alcohol, using a Premises Licence, if there is no DPS specified.

The process involves:

- Completion of application form headed 'Application to transfer premises licence to be granted under the Licensing Act 2003'.
- The current licence holder giving their consent on the form 'Consent of Premises Licence Holder to transfer', ref PR02A.
- Returning both parts of the original Premises Licence (Summary and Full versions)
- Payment of the fee of £23.00. Cheques should be payable to West Wiltshire District Council, or WWDC.
- Send the complete application, fee and existing licences to:
West Wiltshire District Council
Licensing Team
Council Offices
Bradley Road
Trowbridge
Wiltshire
BA14 0RD
- Sending a copy of the application forms only to the Police at the same time. Their address is:
Wiltshire Police
West Wiltshire Licensing Officer
Wiltshire Constabulary
Divisional Police Headquarters
Semington Road
Melksham
Wiltshire
SN12 6QQ

The forms are provided at the end of this guidance.

How to complete the application form

Part 2

- You will need to specify whether the transfer is to take place immediately or take effect at some time in the future.
- The law only requires you to send back the parts both the summary and full versions of the licence where the current DPS name and address details appear. We suggest that for ease that you send the complete copy of both licences.
- If you cannot send us the licences or the relevant parts you must explain why. If this is because they have lost or stolen then you **must** report this to the Police and give us details of how you have done this, for instance by asking them for a reference or crime number and showing this on the form.

Part 3

- If the Premises Licence is held in more than one name then all parties must sign the application form.

Note

If you are intending to change the person who holds the Premises Licence you will need to apply separately. A guidance note is available.

This information is only for Premises Licences issued by West Wiltshire District Council.

If the licence has been issued by another licensing authority you will need to contact them direct.

[PR02A PR05]

Keeping and sharing your personal information

We will keep and use your personal information in line with the requirements of the Data Protection Act 1998.

For the purpose of processing your application, we may pass information to other agencies and organisations.

We may check information that you have provided or that has been provided about you against relevant information that we already hold.

We may also get information about you from certain third parties, or give them information to:

- make sure the information is accurate;
- prevent or detect fraud or any other crime;
- support national fraud initiatives (this will include your information being used in data-matching exercises from time to time); and
- protect public funds.

These third parties include government departments, local authorities and private sector companies such as banks and organisations that may lend you money.

We will not give information about you to anyone else, or use information about you for other purposes, unless the law allows us to.

The Council is the data controller for the purposes of the Data Protection Act.

If you want to know more about the information we have about you or the way we use the information, please ask us.

This page is intentionally blank

[Insert name and address of relevant licensing authority and its optional reference number (optional)]

Application to vary a premises licence to specify an individual as designated premises supervisor under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

**I/We being the premises licence holder, apply to vary
(full name(s) of premises licence holder)
a premises licence to specify the individual named in this application as the
premises supervisor under section 37 of the Licensing Act 2003**

Premises licence number

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Post town	Post code
Telephone number (if any)	

Description of premises (please read guidance note 1)

Part 2

Full name of proposed designated premises supervisor

Personal licence number of proposed designated premises supervisor and issuing authority of that licence (if any)

Full name of existing designated premises supervisor (if any)

Please tick yes

I would like this application to have immediate effect under section 38 of the Licensing Act 2003

I have enclosed the premises licence or relevant part of it

(If you have not enclosed the premises licence, or relevant part of it, please give reasons why not)

Reasons why I have failed to enclose the premises licence or relevant part of it

Please tick yes

- I have made or enclosed payment of the fee
- I will give a copy of this application to the chief officer of police
- I have enclosed the consent form completed by the proposed premises supervisor
- I have enclosed the premises licence, or the relevant part of it or explanation
- I will give a copy of this form to the existing premises supervisor, if any
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 2)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 3).
If signing on behalf of the applicant please state in what capacity.

Signature

.....

Date.....

.....

Capacity

.....

For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date.....

.....

Capacity

.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 5)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Guidance notes

1. Describe the premises. For example the type of premises it is.
2. The application form must be signed.
3. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
4. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
5. This is the address which we shall use to correspond with you about this application.

This page is intentionally blank

Consent of individual to being specified as premises supervisor

I *[full name of prospective premises supervisor]* of

[home address of prospective premises supervisor] hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for **variation of Premises Licence to specify designated premises supervisor** *[type of application]* by *[name of applicant]*

relating to a premises licence *[number of existing licence]*

for

..... *[name and address of premises to which the application relates]* and any premises licence to be granted or varied in respect of this application

made by *[name of applicant]*

concerning the supply of alcohol at

..... *[name and address of premises to which application relates]*. I also confirm that I am applying for, intend to apply for or currently hold a

personal licence, details of which I set out below.

Personal licence number *[insert personal licence number, if any]*

Personal licence issuing authority

[insert name and address and telephone number of personal licence issuing authority, if any]

..... signed

..... name (please print)

..... dated