



West Wiltshire District Council

Licensing Act 2003

Premises Licence

LL104

Changing the holder of a Premises Licence (transfer)

This guidance contains application forms

**West Wiltshire District Council
Licensing Team
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Wiltshire
BA14 0RD**

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

Changing the holder of a Premises Licence (transfer)

This guidance is for those who wish to take over an existing Premises Licence

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'.
- Returning both parts of the original Premises Licence (Summary and Full versions) and the plan
- Payment of the fee of £23.00. Cheques should be payable to West Wiltshire District Council, or WWDC.
- Send the completed application forms, 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.

Gaming Machines

If you wish to use gaming machines at the premises then you will need to contact us, even if there are machines currently in use.

How to complete the application form

Part 1

- In the premises details section make sure that the address and licence holder are the same as shown on the licence.

Part 3

- You will need to specify whether the transfer is to take place immediately or take effect at some time in the future.
- You will need to make sure that you enclose the consent of the current licence holder or explain why this is not possible and how you tried to obtain consent.
- Both parts of the Premises Licence, or an explanation why this is not possible. 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.

Note

If you are intending to change the Designated Premises Supervisor (DPS) 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.

[PR04 PR06]

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.

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[Insert details including name and address of licensing authority and application reference if any]

Application to transfer premises licence to be granted 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 apply to transfer the premises licence described
(Insert name of applicant)
below under section 42 of the Licensing Act 2003 for the premises described in Part 1 below

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 at premises (if any)	

Please give a brief description of the premises

Name of current premises licence holder

Part 2 - Applicant details

In what capacity are you applying for the premises licence to be transferred to you?

Please tick ✓ yes

- | | | | |
|----|-------------------------------------------------|--------------------------|-----------------------------|
| a) | an individual or individuals* | <input type="checkbox"/> | please complete section (A) |
| b) | a person other than an individual * | | |
| | i. as a limited company | <input type="checkbox"/> | please complete section (B) |
| | ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| | iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| | iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) an individual who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

*If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname **First names**

I am 18 years old or over Please tick yes

Current postal address if different from premises address

Post Town **Postcode**

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

I am 18 years old or over Please tick yes

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

E-mail address (optional)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example partnership, company, unincorporated association etc)
Telephone number, if any
E-mail (optional)

Part 3

Please tick ✓ Yes

Are you the holder of the premises licence under an interim authority notice?

Do you wish the transfer to have immediate effect?

If not when would you like the transfer to take effect?

Day		Month		Year	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

Please tick ✓ Yes

I have enclosed the consent form signed by the existing premises licence holder

If you have not enclosed the consent form referred to above please give the reasons why not. What steps have you taken to try and obtain the consent?

Please tick ✓ Yes

If this application is granted I would be in a position to use the premises during the application period for the licensable activity or activities authorised by the licence (see section 43 of the Licensing Act 2003)

Please tick ✓ Yes

I have enclosed the premises licence

If you have not enclosed premises licence referred to above please give the reasons why not.

- I have made or enclosed payment of the fee
- I have enclosed the consent form signed by the existing premises licence holder or my statement as to why it is not enclosed
- I have enclosed the premises licence or relevant part of it or explanation
- I have sent a copy of this application to the chief officer of police today
- 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 4 – 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 postal 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)	

Notes for Guidance

1. Describe the premises. For example the type of premises it is, its general situation and layout and any other information which would be relevant to the licensing objectives.
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.

Consent of Premises Licence Holder to Transfer

I/We [*full name of premises licence holder(s)*] the premises licence holder of premises licence number [*insert premises licence number*] relating to [*name and address of premises to which the application relates*] hereby give my consent for the transfer of premises licence number [*insert premises licence number*] to [*full name of transferee*]

..... signed

..... name (please print)

..... date