



## **Licensing Act 2003 – Premises Licence Guidance Notes for Licence Holders**

### **Duration of a Premises Licence**

A premises licence has effect until such time that it is suspended, revoked or surrendered.

### **Duty to notify change of name or address**

The holder of a premises licence must, as soon as is reasonably practicable, notify the relevant licensing authority of any change of name or address.

Where the designated premises supervisor (DPS) under a premises licence is not the holder of the licence, he should notify the licensing authority of a change in name or address as soon as possible. The DPS must also notify the holder of the premises licence.

Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (£500.00 as at November 2005).

### **Duty to keep and display licence**

The holder of a premises licence must ensure that the licence or a certified copy of it is kept at the premises in the custody of or under the control of the holder of the licence or a person who works at the premises whom the premises licence holder has nominated in writing. A notice should be prominently displayed at the premises specifying the position of any such nominee.

The premises licence holder has a duty to ensure that a summary of the licence or a certified copy of that summary is prominently displayed at the premises.

Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (£500.00 as at November 2005).

### **Duty to produce licence**

A constable or an authorised person may require production of the premises licence for examination. An authorised person must, if requested, produce evidence of his authority to exercise the power.

Failure without reasonable excuse to comply with the above is an offence, and a person will be liable on summary conviction to a fine not exceeding level 2 on the standard scale (£500.00 as at November 2005).

## **Theft or loss of premises licence**

Where a premises licence or summary is lost, stolen, damaged or destroyed, the holder of the licence may apply to the relevant licensing authority for a copy of the licence or summary. A fee of £10.50 is payable in relation to such an application. (Fee as at November 2005 – please check current level of fees at time of application).

Where an application is made for a replacement licence or summary the licensing authority must issue the holder of the licence with a licence or summary if it is satisfied that:-

- a) the licence or summary has been lost, stolen, damaged or destroyed; and
- b) where it has been lost or stolen, the holder has reported that loss or theft to the Police.

## **Surrender of premises licence**

Where the holder of a premises licence wishes to surrender his/her licence he/she may give the licensing authority a notice to that effect. The notice must be accompanied by the premises licence, or where that is not practicable, by a statement of the reasons for the failure to provide the licence. Where a notice of surrender is given, the premises licence lapses on receipt of the notice by the licensing authority.

## **Death, incapacity, insolvency of licence holder**

A premises licence lapses if the holder of the licence –

- a) dies,
- b) becomes mentally incapable (within the meaning of section 13(1) of the Enduring Powers of Attorney Act 1985)
- c) becomes insolvent,
- d) is dissolved, or
- e) if it is a club, ceases to be a recognised club  
(subject to provision for re-instatement in certain circumstances)

## **Annual fee for premises licence/club premises certificate**

An annual fee shall become due and payable each year to the licensing authority, on the anniversary of the date of the grant of the premises licence/club premises certificate. This fee is based upon the rateable value of the property and an account will be sent in advance of the due date. The requirement to pay this fee does not apply in respect of licences/certificates that authorises the provision of regulated entertainment only:

1. in an educational institution which is a school or college; and  
the licence/certificate is in respect of that educational institution; and  
the regulated entertainment is on behalf or for the purposes of the institution.
2. in premises that form part of a church, chapel, village, parish or community hall or other similar building.

“College” means a college or similar institution principally concerned with the provision of full time education suitable to the requirements of persons over compulsory school age who have not attained the age of 19.

## **Legal Advice**

This guidance is intended to assist holders of premises licences. If in any doubt licence holders should consult their own legal advisor for more detailed advice.