



Applying for a Provisional Statement Licensing Act 2003

Businesses or organisations that regularly carry on ‘licensable activities’ must hold a Premises Licence allowing them to do so, under the Licensing Act 2003.

For premises that have not yet been constructed, or which will need significant amounts of work before they can be used for licensable activities, a Provisional Statement may be applied for. This is a precursor to a full Premises Licence, allowing a developer to assess the likely opposition to any licence application before committing to the costs of development. A Provisional Statement does not in its own right allow activities to be carried on – a Premises Licence must be obtained following development before the premises may actually be used. Further representations will not be permitted against any premises licence application where a provisional statement is held, providing that all relevant information was provided in the provisional statement application, and there have been no material changes in circumstances since.

Making an application for a provisional statement

Firstly, read the attached guidance notes, which give information on how to fill out the application form.

Send the completed form, with payment for the £315 application fee, to:

Licensing
Dacorum Borough Council
The Forum
Marlowes
Hemel Hempstead
HP1 1DN

Your application must be accompanied by:

- A scale plan of the premises (see guidance notes for further requirements);
- Payment of the application fee (card payment, or cheque payable to ‘Dacorum Borough Council’);

Copies of the application and accompanying documents must also be sent to each of the Responsible Authorities (whose addresses are given on the next page of this pack).

What happens next?

Once your application has been received, representations may be made in the next 28 days, either supporting or opposing your application, by the Responsible Authorities and local residents and businesses. You will have to advertise your application, by displaying a notice at the site of the proposed premises, and by placing a public notice in a local newspaper – templates for both of these are included in this pack.

If any representations are received during the 28-day period, then the application will be referred to a hearing of the Licensing of Alcohol & Gambling Sub-Committee to be determined. The applicant and any person or body who has made representation will be invited to the hearing to make their case. If no representations are received, the application will usually be determined by a Licensing Officer, shortly after the end of the 28-day period.

Did you know?

You can make provisional statement applications **online**, and doing so removes the requirement for you to send extra copies of your form to the responsible authorities (we will forward all online applications to them).

Visit our website, www.dacorum.gov.uk/licensing, and follow the ‘**Apply online**’ links.

Contact us

For further information or assistance in making an application, please contact us:

Email: licensing@dacorum.gov.uk

Phone: **01442 228000** (ask for Licensing)

Contact details for Responsible Authorities

Licensing Act 2003



1.	Hertfordshire Constabulary Licensing, Dacorum Division, Combe Street, Hemel Hempstead, Hertfordshire, HP1 1HL Tel: 01442 271601 Email: Dacorumlicensing@herts.pnn.police.uk
2.	Hertfordshire Fire & Rescue Service Fire Protection Manager, MU103, Mundells, Welwyn Garden City, Hertfordshire, AL7 1FT Tel: 01707 292310 Email: administration.cfs@hertfordshire.gov.uk
3.	Home Office Alcohol Licensing Team, Lunar House, 40 Wellesley Road, Croydon, CR9 2BY Email: alcohol@homeoffice.gsi.gov.uk
4.	Public Health Hertfordshire County Council, SFAR232, Farnham House, Six Hills Way, Stevenage, SG1 2ST Email: publichealth@hertfordshire.gov.uk
5.	Environmental & Community Protection Dacorum Borough Council, The Forum, Marlowes, Hemel Hempstead, Hertfordshire, HP1 1DN Tel: 01442 228000 Email: ecp@dacorum.gov.uk
6.	Planning Dacorum Borough Council, The Forum, Marlowes, Hemel Hempstead, Hertfordshire, HP1 1DN Tel: 01442 228000 Email: planning@dacorum.gov.uk
7.	Trading Standards Hertfordshire County Council, Mundells, Welwyn Garden City, Hertfordshire, AL7 1FT Tel: 01707 292429 Email: tradingstandards@hertfordshire.gov.uk
8.	Hertfordshire Safeguarding Children Board Room 127, County Hall, Pegs Lane, Hertford, Hertfordshire, SG13 8DF Tel: 01992 588757 Email: admin.lscb@hertfordshire.gov.uk
Additional authority for Council premises only	Health & Safety Executive Woodlands, Manton Lane, Manton Lane Industrial Estate, Bedford, MK41 7PA Tel: 0151 951 4000 (HSE switchboard)
Additional authorities for vessels only	Canal & River Trust (South East Waterways) 1 st floor North, Station House, 500 Elder Gate, Milton Keynes, MK9 1BB Environment Agency National Customer Contact Centre, PO Box 544, Rotherham, S60 1BY The Home Secretary Home Office, 2 Marsham Street, London, SW1P 4DF
Licensing authority details	Licensing, Dacorum Borough Council, The Forum, Marlowes, Hemel Hempstead, Hertfordshire, HP1 1DN Tel: 01442 228000 Email: licensing@dacorum.gov.uk Web: www.dacorum.gov.uk/licensing



Application for a provisional statement 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

(Insert name(s) of applicant)

apply for a provisional statement under section 29 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/We are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

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 <i>(if any)</i>	
Non-domestic rateable value of premises	£

Part 2 – Applicant Details

Please state whether you are applying for a provisional statement as:

Please tick ✓ all that apply

- a) an individual or individuals * *please complete section (A)*
- b) a person other than an individual *
 - i. as a limited company *please complete section (B)*
 - ii. as a partnership *please complete section (B)*
 - iii. as an unincorporated association or *please complete section (B)*

- iv. other (for example a statutory corporation) *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) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales *please complete section (B)*
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England *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 ✓ as appropriate

- 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 <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other title (for example, Rev.)			
Surname			
First names			
I am 18 years old or over			<input type="checkbox"/> <i>Please tick ✓ yes</i>
Current postal address if different from premises address			
Post town		Post code	
Daytime contact telephone number			
Email address (optional)			

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other title (for example, Rev.)			
Surname			
First names			
I am 18 years old or over		<input type="checkbox"/> Please tick ✓ yes	
Current postal address if different from premises address			
Post town		Post code	
Daytime contact telephone number			
Email 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 <i>(where applicable)</i>	
Description of applicant <i>(for example, partnership, company, unincorporated association, etc.)</i>	
Telephone number <i>(if any)</i>	
Email address <i>(optional)</i>	

What licensable activities will the premises be used for?

Provision of regulated entertainment (please read guidance note 2)

Please tick ✓ yes

- a) plays (optional, fill in box A)
- b) films (optional, fill in box B)
- c) indoor sporting events (optional, fill in box C)
- d) boxing or wrestling entertainment (optional, fill in box D)
- e) live music (optional, fill in box E)
- f) recorded music (optional, fill in box F)
- g) performances of dance (optional, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (optional, fill in box H)

Provision of late night refreshment (optional, fill in box I)

Supply of alcohol (optional, fill in box J)

Complete boxes K, L and M (optional)

Part 4 – OPTIONAL - you may fill in this section if you choose to

General description of the premises (please read guidance note 1)

A

Plays Standard days and timings (<i>please read guidance note 7</i>)			Will the performance of a play take place indoors or outdoors or both – please tick ✓ <i>(please read guidance note 3)</i>	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (<i>please read guidance note 4</i>)		
Tue					
Wed			State any seasonal variations for performing plays (<i>please read guidance note 5</i>)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (<i>please read guidance note 6</i>)		
Sat					
Sun					

B

Films Standard days and timings <i>(please read guidance note 7)</i>			Will the exhibition of films take place indoors or outdoors or both – please tick ✓ <i>(please read guidance note 3)</i>	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here <i>(please read guidance note 4)</i>		
Tue					
Wed			State any seasonal variations for the exhibition of films <i>(please read guidance note 5)</i>		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list <i>(please read guidance note 6)</i>		
Sat					
Sun					

C

Indoor sporting events Standard days and timings <i>(please read guidance note 7)</i>			Please give further details <i>(please read guidance note 4)</i>
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events <i>(please read guidance note 5)</i>
Tue			
Wed			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list <i>(please read guidance note 6)</i>
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (<i>please read guidance note 7</i>)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick ✓ (<i>please read guidance note 3</i>)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (<i>please read guidance note 4</i>)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (<i>please read guidance note 5</i>)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (<i>please read guidance note 6</i>)		
Sat					
Sun					

E

Live music Standard days and timings <i>(please read guidance note 7)</i>			Will the performance of live music take place indoors or outdoors or both – please tick ✓ <i>(please read guidance note 3)</i>	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here <i>(please read guidance note 4)</i>		
Tue					
Wed			State any seasonal variations for the performance of live music <i>(please read guidance note 5)</i>		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list <i>(please read guidance note 6)</i>		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick ✓ (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings <i>(please read guidance note 7)</i>			Will the performance of dance take place indoors or outdoors or both – please tick ✓ <i>(please read guidance note 3)</i>	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here <i>(please read guidance note 4)</i>		
Tue					
Wed			State any seasonal variations for the performance of dance <i>(please read guidance note 5)</i>		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list <i>(please read guidance note 6)</i>		
Sat					
Sun					

H

Anything of a similar description to that falling within e, f or g Standard days and timings <i>(please read guidance note 7)</i>			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick ✓ <i>(please read guidance note 3)</i>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here <i>(please read guidance note 4)</i>		
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) <i>(please read guidance note 5)</i>		
Thur					
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list <i>(please read guidance note 6)</i>		
Sun					

Late night refreshment Standard days and timings <i>(please read guidance note 7)</i>			Will the provision of late night refreshment take place indoors or outdoors or both – please tick ✓ <i>(please read guidance note 3)</i>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here <i>(please read guidance note 4)</i>		
Mon					
Tue					
Wed			State any seasonal variations for the provision of late night refreshment <i>(please read guidance note 5)</i>		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list <i>(please read guidance note 6)</i>		
Sat					
Sun					

J

Supply of alcohol Standard days and timings <i>(please read guidance note 7)</i>			Will the supply of alcohol be for consumption: (Please tick box ✓) <i>(please read guidance note 8)</i>	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			State any seasonal variations for the supply of alcohol <i>(please read guidance note 5)</i>		
Tue					
Wed					
Thur			Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list <i>(please read guidance note 6)</i>		
Fri					
Sat					
Sun					

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children *(please read guidance note 9)*

L

Hours premises are open to the public Standard days and timings <i>(please read guidance note 7)</i>			State any seasonal variations <i>(please read guidance note 5)</i>
Day	Start	Finish	
Mon			Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list <i>(please read guidance note 6)</i>
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			
Sun			

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 10)

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Checklist:

Please tick ✓ to indicate agreement

- I have made or enclosed payment of the fee
- I have enclosed the plans of the works to be done at the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures *(please read guidance note 11)*

Signature of applicant or applicant’s solicitor or other duly authorised agent *(see guidance note 12)*. **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 13)*. **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 14)*

Post town		Postcode	
Telephone number <i>(if any)</i>			
If you would prefer us to correspond with you by email your email address <i>(optional)</i>			

Notes for Guidance

1. Describe the premises, for example the type of premises, their general situation and layout and any other information which could be relevant to the licensing objectives. Where you are completing Part 4 and your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.

- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 10. Please list here steps you will take to promote all four licensing objectives together.
 11. The application form must be signed.
 12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 13. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 14. This is the address which we shall use to correspond with you about this application.



Guidance for Applicants: Applying for a Provisional Statement

This guidance relates to the application form for the grant of a Provisional Statement under the Licensing Act 2003 ("the Act").

Applications for Provisional Statements must be made to the local licensing authority within whose area the premises is situated – this will be Dacorum Borough Council for all premises situated within Dacorum. Application forms can be obtained from Dacorum's Licensing Section, or via our website at www.dacorum.gov.uk/licensing

NEED MORE HELP?

This guidance is intended to help applicants complete the application form. Dacorum's Licensing Section may be able to help you with any further queries in respect of making an application. You may also wish to consider engaging professional assistance, such as a legal advisor or licensing agent, or contacting other relevant organisations such as a trade body.

COMPLETING THE FORM

In the opening statement, you should insert the name of the applicant(s) who are applying for the Provisional Statement: e.g. 'Fred Smith' or 'The Example Pub Company Ltd'.

PART 1 – Premises Details

This section asks for the address and some other details of the premises. Please include the proposed trading name of the premises and as much of the postal address as possible, including the full post code. If the premises does not yet have an assigned postal address, you should describe the location of the premises or give the Ordnance Survey map reference.

The section also asks for the non-domestic rateable value (NDRV) of the premises (if any). This is **not** the amount of the business rates which will be payable, but is a value determined by the Valuation Office, which is used to work out the business rates. The NDRV of any premises can be checked on the Valuation Office Agency website, www.voa.gov.uk.

PART 2 – Applicant Details

This section asks you to state the capacity in which you are applying – for example, as an individual, a limited company, a recognised club, a charity, etc. You can only apply in one of these capacities so should only tick one box.

If you are applying as an individual, a limited company, a partnership, an unincorporated association or similar, you **must** also tick one of the three boxes at the end of this question. For almost all applicants, the first box will be the most appropriate option (i.e. the applicant will be carrying on or proposing to carry on a business). Generally, the other two options will only apply to applications made by statutory bodies or Government ministers.

You should then give further details for the applicant(s) in either section (A) INDIVIDUAL APPLICANTS or section (B) OTHER APPLICANTS, but not both.

Finally, you should give details of the nature of your interest in the premises – for example, stating if you are the developer, the financier or the proposed occupant of the finished premises.

PART 3 – Schedule of works

You should firstly indicate whether the application relates to a ‘new build’ premises, or existing premises that are to be re-developed or adapted for their new proposed use.

In the next box, please give details of the work required to ready the premises for use, including a list of construction work, excavations, demolition, decoration, fitting-out and so on. If the space provided is not large enough, please attach supplementary pages (or additional documents, as applicable) and refer to these within your form. Drawings showing the effect of any such works should also be supplied with your application.

Under ‘particulars of the premises’, please describe the physical location and construction status of the premises.

Licensable activities

When considering what to put in this section, you should think about all the activities you may want to conduct at the premises in the future and consider whether any are licensable activities under the Act.

Please indicate which licensable activities you wish to apply to carry on by ticking the appropriate boxes. Later in the form, there is a section for each of the licensable activities. You will need to complete the appropriate sections for each licensable activity you wish to include in your application. If you do not wish to apply for a particular activity, please leave that section of the form blank.

PART 4 – Operating Schedule

This section of the form is optional, and if the information is not yet available you are not required to complete it. However, not giving any information on the proposed licensable activities and operational timings may increase the likelihood of representations against any subsequent licence application being accepted and requiring consideration, particularly if later hours are proposed or if the premises are close to residential properties.

General description of the premises

You are asked to describe the premises (as they will operate when completed). For example, outline the type of premises it is, what you intend to use it for, the general location and layout, and any other information that you feel would be relevant to the licensing objectives. You should also describe any additional areas that you intend to provide for people to consume alcohol that you sell or supply, such as beer gardens or outside terraces.

<i>Do I need to include basements/upper floors or ancillary buildings in my application?</i>
<i>Any spaces in which you are proposing to carry on licensable activities should be referred to within your application, and shown on the plans that you submit. Only spaces that are not affected in any way by the application (e.g. private residential accommodation on the upper floors of a pub) should be omitted.</i>
<i>Should I include my beer garden or outside terrace as part of my application?</i>
<i>That is for you to decide. If you do not include outside areas as part of the licensed premises, drinks that are bought to be consumed there will count as off supplies and any conditions that relate to off sales would apply. If the beer garden or terrace is being provided for consumption of off-supplies, you must include a description of where the place is and its proximity to the premises. You may want to consider whether you might want to use outdoor areas at some point in the future to sell alcohol – perhaps an outdoor bar at a barbeque – possibly through waited drinks service.</i>

Licensable activities

For each licensable activity ticked in Part 3 of the form, please give the timings for any days of the week during which you intend the premises to be used for that licensable activity (using the 24-hour clock). Any days when the premises will not be used for that activity should be left blank, or crossed through.

The spaces marked 'state any seasonal variations' and 'non standard timings' give you the opportunity to include any longer hours or additional days you may wish to apply for, for specific dates or periods. Typical examples could include additional hours on New Year's Eve or Bank Holiday weekends, or longer hours for a period during the summer or in the run-up to Christmas. If requesting any seasonal variations or non-standard timings, please be specific when setting out the days/periods you wish to apply for, and clearly state the times that you wish to be able to carry on the activity on those days. If it is not clear what days/times you are seeking, your application may be delayed while we clarify this.

For most of the activities, you are asked to indicate whether the activity will take place indoors, outdoors or both. Indoors may include a tent or similar temporary structure. Box J (supply of alcohol) instead asks you to confirm whether the alcohol you sell will be consumed on or off the premises, or both.

In the spaces marked 'Please give further details here', please outline the type of activity to be authorised, if not already stated, and give relevant further details – for example (but not exclusively) whether or not music will be amplified or unamplified.

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>	
Day	Start	Finish		Outdoors	<input type="checkbox"/>	
Mon	-	-	Please give further details here (please read guidance note 3) <i>Amateur dramatic society productions of a variety of plays and musicals, mainly for evening performances but we may also give occasional matinee performances on Wednesdays and weekends.</i>	Both	<input type="checkbox"/>	
Tue	18:00	22:00				
Wed	12:00	22:00		State any seasonal variations for performing plays (please read guidance note 4)		
Thur	18:00	22:00		<i>Children's summer holiday theatre school, running from 1st August - 31st August annually - from 11:00 to 16:00 each day</i>		
Fri	18:00	22:00		Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	12:00	01:00		<i>New Year's Eve - from 18:00 through to 01:00 on New Year's Day</i>		
Sun	12:00	15:00		<i>Sunday of August Bank Holiday weekend - from 12:00 to 23:00</i>		
	18:00	22:00		<i>Valentines Day - from 18:00 to midnight</i>		

Example of completed section

Under 'non standard timings' can I apply to open late to show high-profile international sporting events such as World Cup matches, the Superbowl or Australian Rules Football finals, that are broadcast late at night in the UK?

You can apply for whatever licensable activities and timings you like, but should think about how these might be viewed by responsible authorities or other persons – in particular, regular late opening may cause concerns for nearby residents. It might be worth talking to the licensing authority and the relevant responsible authorities first to see what conditions, if any, you might offer to reassure any concerns.

The following paragraphs give examples of the activities that may be authorised under each heading.

Section A: Plays

A performance of any dramatic piece, (including rehearsal), whether involving improvisation or not, which is given wholly or in part by one or more persons present and performing in which the whole or a major proportion of what is done by the person(s) performing, whether by way of speech, singing or action, involves the playing of a role.

Section B: Films

Any exhibition of moving pictures except where its sole or main purpose is to demonstrate a product, advertise goods or services or provide information, education or instruction, or if it is part of an exhibit in a museum or art gallery. Showing a television program at the time that it is broadcast is not licensable (although a TV licence and a contract with the pay-TV broadcaster, where applicable, will be required). Showing any recorded programmes other than at their broadcast time will be licensable.

Section C: Indoor sporting events

A sporting event is defined in the Act as any contest, exhibition or display of any sport in which physical skill is the predominant factor, and any form of physical recreation which is also engaged in for purposes of competition or display which takes place wholly inside a building, and at which the spectators are accommodated inside that building. This includes any enclosed structure and could be a vehicle, vessel or moveable structure.

Section D: Boxing or wrestling entertainment

Unlike other sports, boxing and wrestling is licensable whether held indoors or outdoors.

Section E: Live music

Music includes vocal or instrumental music or any combination of the two, performed by any number of participants. The performance of live music, if it is incidental to some other activity which is not in itself a licensable activity, is not licensable.

Section F: Recorded music

Your licence does not need to authorise the playing of recorded music if it is incidental to some other activity which is not in itself a licensable activity, as this would be exempt – for example, background music in a shopping centre is likely to be considered to be incidental. It is unlikely that the provision of a disc jockey or jukebox at your premises could be considered to be incidental, and should usually be included in your application as a licensable activity. If in any doubt, please consult the licensing authority. The use of a radio to listen to programmes at the time of broadcast is not licensable.

Section G: Performances of dance

Morris dancing or any dancing of a similar nature is not licensable, nor is the performance of unamplified live music as an integral part of such dancing.

Section H: Entertainment of a similar description to that falling within E, F and G

This section can be used to set out any other entertainments of a similar nature to those in the preceding sections, but which for whatever reason are not appropriate to include there. Please specify the type(s) of entertainment you wish to provide. Typical examples may include karaoke, poetry slams, quiz nights, capoeira displays, or other activities combining elements of music and dance.

Section I: Late night refreshment

This covers the supply of hot food or drink between 11:00pm and 5:00am, although there are several exemptions. Hot drinks consisting of, or containing alcohol, should be authorised under the supply of alcohol, rather than late night refreshment.

The provision of hot food and drinks which are given away for free, supplied by a registered charity, supplied on a moving vehicle, supplied to guests at a hotel, supplied by a recognised club to club members, or supplied by an employer to his/her employees in their workplace, are all exempt from the need to obtain a licence, as is the supply of hot drinks from fully-automated vending machines

Section J: Sale by retail of alcohol, and supply of alcohol by a club to club members

If you wish people to be able to consume alcohol on the premises, please tick 'on'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off'. If you wish people to be able to do both, please tick 'both'.

Activities giving rise to concerns in respect of children

In section K of the form, you are asked to give information about anything to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or gambling. You do not need to complete this section if it does not apply to your premises, but rather than leave blank, it would be better to write 'none' or 'N/A' to be clear that you have considered this, rather than simply forgotten to complete the box.

Can a Premises Licence authorise sexual entertainment, such as striptease or lap-dancing?

Dacorum has adopted the provisions of the Policing & Crime Act 2009 relating to sexual entertainment venues, and will require any venue promoting sexually stimulating performances or displays of nudity to hold a sex establishment licence. A Premises Licence may also be required for other activities, such as the supply of alcohol or musical performances, but it cannot authorise any sexual entertainment.

Hours premises are open to the public

In section L, you are asked to specify the times during which the premises will be open to the public. This may include times where no licensable activities take place, as it is important for responsible authorities, other persons and the licensing authority to know how long your premises is open in addition to the times where licensable activities will take place. For example, it might be necessary and proportionate to include a winding-down period after licensable activities finish and before the premises closes to the public, to allow customers to make an orderly departure from the premises.

You should indicate whether any of the 'seasonal variations' and 'non standard timings' for licensable activities, would affect the hours the premises are open to the public, in the spaces provided. You may also wish to consider whether there will be any seasonal variations or non-standard timings when the premises will be open to the public at different times for non-licensable activities - for example, opening early to provide breakfasts during the Summer holidays.

Steps to promote the licensing objectives

In section M, you are asked to describe the steps you intend to take to promote the four licensing objectives, which are:

- ❖ Prevention of crime and disorder
- ❖ Prevention of public nuisance
- ❖ Public safety
- ❖ Protection of children from harm

Don't forget that you should already be abiding by relevant legislation in many other areas, such as the Health and Safety at Work Act and the Regulatory Reform (Fire Safety) Order. Your starting point

should be compliance with these requirements. If you feel there is nothing more you need to do, then you might wish to write 'N/A' or something like 'nothing beyond existing Health and Safety/Fire Safety etc requirements'. This shows you have considered the objectives and come to a decision that you have nothing additional to do and not that you have forgotten to write anything in this section.

If your application is granted, any measures that you include in this section will be translated into conditions to be imposed on any subsequent licence. Therefore, if you do intend to take additional measures, you should consider carefully what to include. Failure to comply with any condition on your licence would constitute an offence under the Act, and is likely to result in enforcement action, as well as an increased likelihood of your licence being reviewed. You should therefore think carefully about adding conditions to ensure that they are achievable, realistic, necessary, appropriate, proportionate and within your control. Base your response on a proper, common sense consideration of the risks and what you can realistically do to mitigate them.

Of course, if a responsible authority considers that you need to do more to promote one of the licensing objectives than you have specified in your application, they will be able to make representations. If you have concerns, you may find it useful to talk to the relevant responsible authority before completing the form, to discuss any measures that they would expect to see within your application.

The 'General Box' is best used to list any steps you will take that will benefit more than one of the licensing objectives, or which do not necessarily link in with any of the other headings – for example, employing additional staff.

Checklist and declaration

By ticking this list, you are making a declaration that you have carried out the listed actions. If you tick the boxes and do not carry out these actions, you may be making a false statement in relation to the application, which is an offence, which on conviction may make you liable to a fine of up to £5,000.

You should check that you have included all the required documentation. This includes a plan of the premises, details of the works to be undertaken, and payment for the application fee.

PART 5 – Signatures

The application form must be signed. An applicant's agent (for example a solicitor) may sign the form on their behalf provided that they have been given the authority to do so by the applicant. Where there is more than one applicant, both applicants or their respective agents, must sign the application form.

Plans

A plan of the proposed premises should be included with the application, and copied to the responsible authorities as part of the application. The plan of the premises needs to meet the requirements set out in the Act and associated Regulations and, in particular, should show the following matters:

- (a) the extent of the boundary of the building or perimeter of the licensed premises, and any external and internal walls of the building;
- (b) the location of points of access to and egress from the premises;
- (c) if different from paragraph (b), the location of escape routes from the premises;
- (d) the area within the premises which is to be used for each licensable activity applied for;
- (e) fixed structures (including furniture) or similar objects temporarily in a fixed location (but not furniture) which may impact on the ability of individuals on the premises to use exit routes without impediment;
- (f) the location and height of any stage or raised area relative to the floor;
- (g) the location of any steps, stairs, elevators or lifts;

- (h) the location of any room or rooms containing public conveniences;
- (i) the location and type of any fire safety and any other safety equipment, and
- (j) the location of a kitchen, if any, on the premises.

The information contained in the plan must be clear and legible in all material respects, and you may wish to include a key of symbols to illustrate the above items on the plan. The plan should be drawn to an appropriate scale – 1:100 or 1:50 (where a wall 10m long would be drawn on the plan as 10cm or 20cm respectively) are the most commonly used, but any other appropriate scale will be satisfactory.

Do I have to have plans professionally drawn?

There is no requirement to have plans professionally drawn. What is important is that they are accurate and meet the requirements referred to above.

Do I need to show a consumption area, such as a beer garden, on the plan?

There is no requirement to include any areas on the plan that are not part of the premises you are licensing. You should, however, describe any areas that you intend to provide for people to consume alcohol that you sell or supply under the general description of the premises that you are required to give at the beginning of Part 3 of the application form.

Responsible authorities

You are required to give a copy of the application, including any accompanying documentation, to the “responsible authorities” on the same day as the application is given to the licensing authority. Responsible authorities are the public bodies which may make representations to the licensing authority in relation to an application. Any representations must be about the likely effect of granting the application on the promotion of the licensing objectives. The responsible authorities include:

- ❖ Hertfordshire Constabulary
- ❖ Hertfordshire Public Health
- ❖ Dacorum Planning
- ❖ Hertfordshire Safeguarding Children Board
- ❖ Hertfordshire Fire & Rescue Service
- ❖ Dacorum Environmental Health
- ❖ Hertfordshire Trading Standards

For applications relating to vessels or certain public buildings, further responsible authorities have been designated, who must also be sent a copy of the application.

Contact details for all of the Responsible Authorities for the Dacorum area are provided with the application pack.

Advertising your application

All applications must be advertised, in order to allow local residents and businesses to review your proposals and make representation if necessary. There are two ways in which you must advertise:

- ❖ You must display a statutory notice at your premises for 28 consecutive days starting on the day after you submitted your application. This notice must be printed on blue paper, and be displayed so that it can be conveniently read from outside the premises **at all times**.
- ❖ You must also publish a public notice in a locally available newspaper, on one occasion, within 10 working days of submitting your application.

Templates for both of the advertisements are included at the rear of the application pack.

Failure to advertise your application in accordance with the legal requirements will invalidate your application, and could mean that you have to start the entire application process again.

Fees

Application fees for provisional statements are set at **£315.00**, and payment of this fee should accompany your application. Payment should be made by cheque or postal order (payable to 'Dacorum Borough Council') or credit or debit card only – we are unable to accept cash payments.

*These guidance notes are based upon those published by the Department for Culture, Media and Sport.
Further information on the Licensing Act 2003 can be found on the [GOV.UK](https://www.gov.uk) website.*



Advertising your application for a provisional statement

As part of the application process, you are required to publicise your application in the vicinity of your premises (or the site of the proposed premises), in two different ways:

- by publishing a public notice in a local newspaper, on one occasion within 10 working days of making your application to the licensing authority, and
- by displaying a statutory notice (on blue paper, A4 or larger) at or near the premises, for 28 days.

Templates for both of these advertisements are included below, which include the necessary formatting and wording to satisfy the requirements set out in the Regulations. Text in square brackets may be omitted.

Please note that classified advertising publications are not suitable for this purpose – your notice must appear in a publication with news content, available in the area in which your premises are situated. If there is no local newspaper published in that area, a local newsletter or circular publication may be used instead – please consult with Licensing Officers for guidance prior to making use of these types of publication.

Newspaper notice template

LICENSING ACT 2003 APPLICATION FOR PROVISIONAL STATEMENT

.....
[Name(s) of applicant(s)]

has applied to Dacorum Borough Council for a Provisional Statement, in respect of the following premises:

.....
[Trading name and address of the premises, or description of location if an address has not yet been assigned]

If a Provisional Statement is issued, and a subsequent application for a Premises Licence is made, any representations in respect of that application will be excluded if, given the information provided in the application for the provisional statement, the relevant person could have made the same, or substantially the same, representations about that application but failed to do so, without reasonable excuse, and there has been no material change in circumstances either to the relevant premises or to the area in the vicinity of those premises since the provisional statement was issued.

A copy of this application may be inspected during normal office hours at:
Licensing, Dacorum Borough Council, The Forum, Marlowes, Hemel Hempstead, HP1 1DN, or via the licensing authority's website, at www.dacorum.gov.uk/licensing

A responsible authority or any other person may make representation to the licensing authority in respect of this application. Representations must be made in writing, either by post to the above address, or by email to licensing@dacorum.gov.uk and must be received no later than [28 days after the date on which your application was made]

It is an offence to knowingly or recklessly make a false statement in connection with a licensing application, and the maximum fine for which a person is liable on summary conviction for that offence shall not exceed level 5 on the standard scale (£5,000).



LICENSING ACT 2003

Application for Provisional Statement

.....
[Name(s) of applicant(s)]

has applied to Dacorum Borough Council for a Provisional Statement, in respect of the following premises:

.....
.....

.....
[Trading name and address of the premises, or description of the location if an address has not yet been assigned]

If a Provisional Statement is issued, any representations in respect of a subsequent application for a Premises Licence for this premises will be excluded if, given the information provided in the application for the provisional statement, the relevant person could have made the same, or substantially the same, representations about that application but failed to do so, without reasonable excuse, and there has been no material change in circumstances relating either to the relevant premises or to the area in the vicinity of those premises since the provisional statement was made.

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