

## Licensing Act 2003 Takeaways and Late Night Refreshment Houses

Includes takeaways, cafes, fast food outlets and  
mobile catering vehicles



East Devon District Council  
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Devon  
EX10 8HL

DX 48705 Sidmouth

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[www.eastdevon.gov.uk](http://www.eastdevon.gov.uk)

Contact: Licensing Section  
Tel 01395 517410  
Fax 01395 517507  
E-mail [licensing@eastdevon.gov.uk](mailto:licensing@eastdevon.gov.uk)

**Ref: GN 9**

Before completing the application form, please read the "General Guide to the Licensing Act 2003" (GN1). This gives you important information about how the Act works.

### What is changing?

From the Second Appointed Day (24 November 2005) any premises selling hot food or hot drink at any time between 11.00 pm and 5.00 am will need a licence.

**Please note:** After that date you will not legally be able to trade between those hours without a licence. The type of licence you will need is called a premises licence and it can enable you to carry out the sale or supply of alcohol and/or the provision of regulated entertainment and/or the provision of hot food or hot drink at any time between 11.00 pm and 5.00 am.

"Late night refreshment" means the supply of hot food or hot drink to the public, for consumption on or off the premises, between 11.00 pm and 5.00 am. It includes takeaways, cafes, fast food outlets and mobile catering vehicles. Premises that provide late night refreshment will need to hold a Premises Licence once the Act comes into effect on the 24 November 2005.

The Government believes it is necessary to protect local residents because premises, which serve late night refreshment, can be used by customers who may have been drinking at other premises earlier in the evening, thereby creating the potential for disorder on and near the premises. Also, because large numbers of customers may gather at places serving late night refreshments, there is a potential for nuisance and disturbance for local residents. The regulation of late night refreshment will tackle these issues and allow residents and other interested parties and responsible authorities to make representations about new, and seek reviews of existing licences where they are concerned that the four licensing objectives will be or have been affected.

If a supermarket or other business premises (i.e. garage) heats food or drink for customers between 11.00 pm and 5.00 am, or provides facilities for customers to heat food or drink above the ambient temperature, a premises licence is required. However, if the business is selling only cold food and drink, and not providing facilities to heat it, a premises licence is not required.

### **Are there exemptions for the requirement to obtain consent for late night refreshment?**

The following are exempt from requiring a Premises Licences for the provision of late night refreshment:

- Alcoholic hot drinks or hot drinks containing alcohol (although consent to sell alcohol will still be required).
- Hot drinks distributed by a machine that is operated solely by the customer.
- Hot food or hot drink supplied free of charge, where there is also no charge for admission to any premises, or for some other item to obtain the hot food or hot drink.
- Hot food or hot drink supplied by a registered charity or by a person authorised by a registered charity (i.e. a charity which is registered under the Charities Act 1993 or a charity not required by the Charities Act 1993 to be registered).
- Hot food or hot drink supplied on a vehicle, which is not permanently or temporarily parked at the time.
- Hot food or hot drink supplied to members and guests of recognized clubs that hold a Club Certificate.
- Hot food or hot drink supplied to hotel and bed and breakfast guests.
- Refreshments in staff canteens where the staff are required to work between 11.00 pm and 5.00 am.

### **What about if I already serve food after 11.00 pm?**

If you already sell food after 11.00 pm because you hold a Section 77 or Section 68 certificate under the Licensing 1964, you must tick the box on the application form for late night refreshment. However this will *not* be a variation, as it is an activity already authorised by your existing licence. This however can only be converted over if you apply before the 6 August 2005.

### **Who can apply for a premises licence?**

Individuals, businesses or partnerships can apply. In the case of an individual, the applicant must be aged 18 or over.

### **Who needs a premises licence?**

All of the following types of businesses that do one or more licensable activity (sale of alcohol; provision of regulated entertainment; provision of late-night refreshment) will need a premises licence to operate after the Second Appointed Day (24 November 2005):

- Pubs, cafe-bars and nightclubs
- Distributors of alcohol via the internet
- Restaurants, hotels and guesthouses that serve alcohol
- Shops and supermarkets that sell alcohol for consumption off the premises including wholesalers who sell to the public
- Late night cafes, takeaways and other premises that supply hot food or hot drink at any time between 11 pm and 2am to members of the public for consumption on or off the premises
- Cinemas, theatres, concert halls and amateur dramatic groups
- Venues providing live entertainment, live music or dancing, or which play recorded music
- Major art and pop festivals, carnivals, fairs and circuses

### When do you apply for a premises licence?

As takeaways do not presently have a licence, you will need to make a new application at least two calendar months before you want to supply hot food or hot drink at any time between 11.00 pm and 5.00 am or carry out any other licensable activity.

**Please note:** Even if your application for a licence is granted before the second appointed day (24 November 2005) you cannot start trading with new hours, activities etc. until the Second Appointed Day. You must keep all other licences up to date until this time.

### Why should you apply for a premises licence?

If you carry out a licensable activity without a premises licence (or club premises certificate) from the second appointed day (24 November 2005), you will be breaking the law.

A premises licence also brings with it considerable freedoms: the possibility of carrying out extra activities, the opening hours you and your community want and greater flexibility.

### How do you apply for a premises licence?

Your application should be made on the prescribed form 'Application for premises licence to be granted under the Licensing Act 2003'. The East Devon District Council version of this form is numbered EDP422 and is available on our website Licensing pages – <http://www.eastdevon.gov.uk> or by telephoning the Licensing Section on 01395 517410 and asking for us to send you a copy.

When you complete the application including the operating schedule section of the form and are contemplating the four licensing objectives you may find it useful to look at **guidance sheets GN1 and GN6** that we have prepared to assist you and which provide some suggested conditions you could include which will help you meet the licensing objectives. They are also available on our website – <http://www.eastdevon.gov.uk> or by telephoning the Licensing Section on 01395 517410 and asking for us to send you copies.

As well as the guidance you might like to refer to our Statement of Licensing Policy and, again, this is available from our website. Devon Fire and Rescue Service offer separate advice in a leaflet which is available by contacting them by phone or by downloading it from their website.

Clearly, it is for you to decide and you will need to thoroughly consider how your premises operates and what measures you might need to put in place to ensure you meet the Licensing Objectives. If you do need any advice contact the relevant responsible authority.

At the time of submitting your application you will need to send us:

- Application for a Premises licence under the Licensing Act 2003.
- Payment of fee (postal orders or cheques). Cheques should be made payable to: East Devon District Council.
- Plans of your premises (in the prescribed form - further information later in this document).

### What information do you need to include on your application form?

Your application should be as detailed as possible, telling us about you, your premises and the activities you plan to carry out there after the Second Appointed Day (24 November 2005). It should also tell us what measures you intend to put in place to promote the licensing objectives.

## What are the licensing objectives?

- Prevention of Crime and Disorder
- Public Safety
- Prevention of public nuisance
- Protection of children from harm

## Who can you speak to for advice on promoting the licensing objectives?

Advice on promoting the licensing objectives is available in the document "[Operating Schedule Advice - Licensing Objectives](#)" – Reference GN6. This can be accessed on the Licensing pages of the District Council's website <http://www.eastdevon.gov.uk> . You can call 01395 517410 if you have any problems accessing this document.

Expert advice on each of the licensing objectives is also available from the responsible authorities who will be assessing your application. See contact information for Responsible Authorities (**Appendix C**) later in this advice document.

When you are making application for a licence your application may be subject to representations from all or some of the responsible authorities and also from interested parties.

As well as looking carefully at what measures you intend to put in place to promote the licensing objectives **responsible authorities** will be a very useful contact when you need help and expert guidance to fill out this part of your form. Please note, we, as the Licensing Authority can not give you advice on what to put in your application as the authority will have the responsibility on deciding the application.

We would also recommend that you speak to "interested parties", that is local residents/local businesses to get their input on what you are planning to do and how you plan to promote the licensing objectives. In this way you can look to tackle any of their concerns in your operating schedule before you submit your application.

Who are the responsible authorities? Once you have made your application Responsible Authorities have responsibility for assessing it and making representations should they not be satisfied. Once granted, they can also request a review of your licence. The responsible authorities are:

- Devon and Cornwall Constabulary
- Devon Fire and Rescue Service
- EDDC Planning & Countryside Service
- EDDC Environmental Health & Equalities Services (or HSE)
- Devon Trading Standards
- Devon Area Child Protection
- And additionally only in the case of vessels
- Maritime and Coastguard Agency

## Who are interested parties?

- Local residents/residents associations
- Local businesses/trade groups

## What is a representation?

A representation is a statement of information relating to the whole of your application or to part of it. For example, if it was felt you were not putting sufficient control measures in place to prevent your

customers from disturbing local residents, then any one of the six responsible authorities, or any interested parties, could make a representation.

### When can a representation be made?

Representations must be made within 20 working days of receipt of your application.

### Who can make a representation?

Where you are a new applicant, for example, you run a takeaway/late night cafe or you are opening a new bar or where you are applying to change the way you operate your business (a variation) any of the six/seven responsible authorities or interested parties can make a representation.

This would apply to takeaways that are open at any time between 11 pm and 5am and at the moment do not require a licence.

### How do you complete the application form?

When you come to fill out your application, please note there are guidelines at the back of each form, as well as a checklist at the end of each section within the form.

Please ensure that your application is legible. Typed applications are preferred. A copy of the application form in MS Word format can be accessed on the Licensing pages of the District Council's website <http://www.eastdevon.gov.uk>.

**Please note:** If your application is found to be incomplete it will not be accepted and will be returned to you for further information.

### What information do you need to include in the plan of your premises?

The plan shall be drawn in standard scale (we would accept 1 centimetre to 1 metre i.e. 1:100), unless we have previously confirmed in writing to you that an alternative scale is acceptable. We ask that the plans are no larger than A3 size however we appreciate that this is not always possible. The plan shall show:

- a) The extent of the boundary of the building, if relevant, and any external and internal walls of the building and, if different, the perimeter of the premises;
- b) The location of points of access to and from the premises;
- c) If different from paragraph (b) above, the location of escape routes from the premises;
- d) In a case where the premises is used for more than one existing licensable activity, the area within the premises used for each activity;
- e) In a case where an existing licensable activity relates to the supply of alcohol, the location or locations on the premises which is or are used for consumption of alcohol;
- f) 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 exits or escape routes without impediment;
- g) In a case where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor;
- h) In a case where the premises includes any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts;
- i) In a case where the premises includes any room or rooms containing public conveniences, the location of the room or rooms;

- j) The location and type of any fire safety and other safety equipment; and
- k) The location of a kitchen, if any, on the premises.

The plan may include a legend through which the matters mentioned or referred to in a) to k) above are sufficiently illustrated by the use of symbols on the plan.

The following information may be added to your plans. This is not a mandatory requirement but will assist your application by making it easier for the Licensing Authority and the Responsible Authorities to understand your application and how the premises are to be operated.

- a) Plans to be dated and bear the name and location of the premises
- b) To be endorsed with a location plan showing the site of the premises
- c) The scale used to be endorsed on the plan
- d) The total extent of the licensed premises to be defined by a continuous red line
- e) Areas to be used for the consumption of alcohol to be coloured pink
- f) Areas to be used for the storage of alcohol and bar serveries to be coloured green
- g) Kitchen and staff only areas to be coloured yellow
- h) Toilet accommodation to be coloured blue
- i) Emergency exit routes not intended to be used for the consumption of alcohol to be uncoloured
- j) Where areas of the premises are to be used for specific purposes to which the licence will apply e.g., children only allowed into one area, adult entertainment, showing of films, etc those areas should be outlined and defined in a key accompanying the plan

Fire precaution details;

- a) Where applicable – fire resistance doors and structures should be indicated
- b) Type of surface linings and finishes to walls and ceilings (in new constructions only)
- c) Emergency Lighting
- d) Maintained exit signage
- e) Door furniture e.g. panic bars
- f) Where applicable: fire alarm and smoke detection details
- g) Fire fighting equipment
- h) Compliance with all relevant British Standards should be clearly stated (in new constructions only)
- i) Applicants may find it helpful to adopt the use of symbols as at **Appendix C** to this guidance. If these particular symbols are not used a key to the symbols should be provided.

**Where can you find out the non-domestic rateable value of your premises and how much is the fee?**

The Government sets the fee. It is based on the non-domestic rateable value (NDRV) of your premises. You can find out your non-domestic rateable value (NDRV) through the Valuation Office Agency. They have a web-based search facility at [www.voa.gov.uk](http://www.voa.gov.uk). Their local office is based at Broadwalk House, Southernhay West, Exeter, EX1 1TS and their telephone number is 01395 606900.

For further information you can call their enquiry help line on 0845 602 1507.

When you know your NDRV you can calculate what your licence fee will be by using the table at **Appendix A** to find out which band your premises will fall into and the corresponding fee. For the

definitive fee structure, please see the website of the Department of Culture, Media and Sport.

Note: If your premises does not have a NDRV then the fee is based on a Band A property.

### **Do you need to advertise your application?**

You must advertise your application by way of a notice displayed at the premises for twenty eight (28) consecutive days. Council officers will normally check that you have displayed the notice in the prescribed way and your application will not be valid unless this has been done. Specimen notices are available from the licensing office and are being included in the application packs.

You must also publish notice of your application in the local press within ten (10) days of making the application. You must send a copy of the newspaper containing the advertisement to us as soon as it is published.

Further information of the legal requirements in relation to advertising licence applications is shown at **Appendix D**.

### **What do you need to send to the Licensing Authority?**

Make sure you send all of the following to the Licensing Team:

- Completed application form
- Fee (postal order, cheque or completed credit / debit card slip)
- Plans of the premises (in the prescribed format)
- In the event that you will be selling or supplying alcohol:
- Form of consent given by the person whom the applicant wishes to be the Premises Supervisor

We cannot accept applications by email. All applications must be made by post to:

**Licensing Authority, East Devon District Council, Council Offices, Knowle, Sidmouth, EX10 8HL**

Please note: If you do not include all of the above or your application is found to be incomplete it will be returned to you for further information.

### **Where else do you need to send a copy of your application?**

You must also send one copy of your application (items listed under 'What do you need to send to the Licensing Unit?' not including the fee) to each of the six/seven bodies below:

- Devon and Cornwall Constabulary
- Devon Fire and Rescue Service
- EDDC Planning & Countryside Service
- EDDC Environmental Health & Equalities Services (or HSE)
- Devon Trading Standards
- Devon Area Child Protection

The contact details for all these authorities are set out in **Appendix C** attached to this document. Should you fail to serve a copy of your application on all the above listed authorities your application will be ruled invalid and the Licensing Authority will be unable to deal with your application.

# LICENSING ACT 2003 CHARGES

Premises applications including variations and annual fees – each premises that is licensable will be allocated to a fee band according to the non domestic rateable value of the premises. Where the premises do not have a non domestic rateable value they will be allocated to Band A.

## RATEABLE VALUE AND BANDS

Non domestic Rateable Value	Band
No rateable value to £4,300	A
£4,301 to £33,000	B
£33,001 to £87,000	C
£87,001 to £125,000	D
£125,001 and above	E

## FEE FOR GRANT AND VARIATION AND ANNUAL CHARGE FOR PREMISES LICENCES

Premises Licence* & Club Premises Certificates					
Bands	A	B	C	D	E
New application Fee◆	£100	£190	£315	£450	£635
Annual Fee◆	£70	£180	£295	£320	£350
◆ A multiplier will be applied to premises in Bands D & E where they are used exclusively or primarily for the supply of alcohol for consumption on the premises					
New Application Fee	N/A	N/A	N/A	X2 (£900)	X3 (£1905)
Annual Fee	N/A	N/A	N/A	X2 (£640)	X3 (£1050)

\* There are additional fees for premises licence applications, and the annual fee for exceptionally large scale events (5,000+), unless certain conditions apply. These are set out in Regulation 4(4) and 4(5) of The Licensing Act 2003 (Fees) Regulations 2005.

## Additional Fees

Number in attendance at any one time	Additional Premises licence fee	Additional annual fee payable if applicable
5,000 to 9,999	£1,000	£500
10,000 to 14,999	£2,000	£1,000
15,000 to 19,999	£4,000	£2,000
20,000 to 29,999	£8,000	£4,000
30,000 to 39,999	£16,000	£8,000
40,000 to 49,999	£24,000	£12,000
50,000 to 59,999	£32,000	£16,000

60,000 to 69,999	£40,000	£20,000
70,000 to 79,999	£48,000	£24,000
80,000 to 89,999	£56,000	£28,000
90,000 and over	£64,000	£32,000

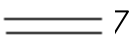



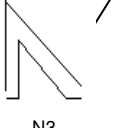
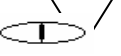















### Other Fees

Application for a grant or renewal of personal licence	£37.00
Temporary event notice	£21.00
Theft, loss, etc of premises licence or summary	£10.50
Application for a provisional statement where premises being built, etc	£315.00
Notification of change of name or address	£10.50
Application to vary licence to specify individual as premises supervisor	£23.00
Application for transfer of premises licence	£23.00
Interim authority notice following death etc of licence holder	£23.00
Theft, loss etc of certificate of summary	£10.50
Notification of change of name or alteration of rules of club	£10.50
Change of relevant registered address of club	£10.50
Theft, loss etc of temporary event notice	£10.50
Theft, loss etc of personal licence	£10.50
Duty to notify change of name or address	£10.50
Right of freeholder etc to be notified of licensing matters	£21.00

For premises or businesses without a non-domestic rateable value, the following applies:

- Premises with no NDRV – will be allocated to Band A
- Premises under construction – will be allocated to Band C
- Licensed areas that form part of a larger premises – the NDRV for the whole premises will be used for licence fee calculation purposes
- Premises which are part of two or more premises with separate NDRV's – the higher NDRV will be used for licence fee calculation purposes

# Appendix B

PLAN DRAWING SYMBOL SHEET					
 7	FIRE RESISTING CONSTRUCTOR	 CO <sub>2</sub>	CARBON DIOXIDE EXTINGUISHER, 4.5KG CAPACITY UNLESS OTHERWISE STATED		ILLUMINATED EXIT SIGN, LETTERING 75MM UNLESS OTHERWISE STATED
	30 MIN (UNLESS OTHERWISE STATED) FIRE AND SMOKE RESISTING DOORSET WHICH IS SELF-CLOSING AND PROVIDED WITH N6 NOTICES ON EACH SIDE OF THE DOOR	VL	VAPOURISING LIQUID EXTINGUISHER (HALON CF), 2.5KG CAPACITY UNLESS OTHERWISE STATED	E	EXIT SIGN, LETTERING 75MM UNLESS OTHERWISE STATED
		AF <sub>3</sub>	MULTI PURPOSE SPRAY (AFFF), 5L CAPACITY UNLESS OTHERWISE STATED	N1	GENERAL FIRE NOTICE
 N3	30 MIN (UNLESS OTHERWISE STATED) FIRE AND SMOKE RESISTING DOORSET, AND PROVIDED WITH A N3 NOTICE ON THE OUTSIDE OF THE DOOR	B	FIRE BLANKET, 1M X 1M UNLESS OTHERWISE STATED	N2	STAFF FIRE NOTICE
	FIRE ALARM VISUAL WARNING DEVICE	SB	SAND BUCKET	N3	FIRE DOOR KEEP LOCKED SHUT
SC	SELF CLOSING DOOR	HHP	HEAD HEIGHT PARTITION	N4	SLIDE TO OPEN, LETTERING 75MM UNLESS OTHERWISE STATED
A	SELF CLOSING DOOR ON AUTOMATIC ACTUATION	FRG	FIRE RESISTING GLAZING	N5	FIRE EXIT DO NOT OBSTRUCT, LETTERING 50MM UNLESS OTHERWISE STATED
RS	ROLLER SHUTTER DOOR		FIRE ALARM / ZONE INDICATOR PANEL	N6	FIRE DOOR KEEP SHUT
VL	VERTICAL LADDER	E →	DIRECTIONAL EXIT SIGN, LETTERING 75MM UNLESS OTHERWISE STATED	N7	PUSH BAR TO OPEN NOTICE, LETTERING AT LEAST 50MM IN HEIGHT UNLESS OTHERWISE STATED
	SECURITY LOCK APPROVED TYPE		FIRE ALARM ACTUATING POINT	N8	AUTOMATIC DOOR KEEP CLEAR, SHOULD BE PROVIDED ON THE VISIBLE SIDE OF THE DOOR WHEN IN THE OPEN POSITION
PB	PUSH BAR IRONMONGERY, TOGETHER WITH A N7 NOTICE POSITIONED BELOW THE PUSH BAR		FIRE ALARM SOUNDER	Hr 1	HANDRAIL, AT LEAST 840MM IN HEIGHT UNLESS OTHERWISE STATED
VP	VISION PANEL, MEASURING AT LEAST 455MM X 455MM UNLESS OTHERWISE STATED		SMOKE DETECTOR	Gr 1	GUARDRAIL, AT LEAST 1070MM IN HEIGHT UNLESS OTHERWISE STATED
	HOSEREEL 30M LONG, UNLESS OTHERWISE STATED		HEAT DETECTOR		EMERGENCY LIGHT DIRECTIONAL
	WATER EXTINGUISHER, 9L CAPACITY UNLESS OTHERWISE STATED		EMERGENCY LIGHTING POINT	*	DOORS NOT FORMING PART OF MEANS OF ESCAPE
	FOAM EXTINGUISHER, 9L CAPACITY UNLESS OTHERWISE STATED		NORMAL LIGHTING POINT		SMOKE DETECTOR WITH SOUNDER
	DRY POWDER EXTINGUISHER, 10KG CAPACITY UNLESS OTHERWISE STATED		ACTUATING SWITCH FOR NORMAL LIGHTING POINT		HEAT DETECTOR WITH SOUNDER

# Appendix C

## Contact addresses and telephone numbers for Responsible Authorities

RESPONSIBLE AUTHORITY	ADDRESS	Contact Details
<b>Devon &amp; Cornwall Constabulary</b>	The Chief Officer of Police (For attention of The Licensing Office) Devon & Cornwall Constabulary North Street EXMOUTH EX8 1JZ  <a href="http://www.devon-cornwall.police.uk/v3/homepage/index.htm">http://www.devon-cornwall.police.uk/v3/homepage/index.htm</a>	Non-Urgent Calls (24 Hours) 08452 777444 Email: <a href="mailto:eastdevonLicensing@devonandcornwall.pn.police.uk">eastdevonLicensing@devonandcornwall.pn.police.uk</a>
<b>Devon Fire &amp; Rescue Service</b>	East Division Agriculture House Pynes Hill Rydon Lane Exeter EX2 5AZ <a href="http://www.devfire.gov.uk/">http://www.devfire.gov.uk/</a>	Telephone 01392 872200 Fax 01392 266839
<b>East Devon District Council</b> (Planning and Building Control)	Head of Planning and Countryside Service East Devon District Council Planning & Countryside Service Council Offices Knowle Sidmouth EX10 8HL  <a href="http://www.eastdevon.gov.uk">www.eastdevon.gov.uk</a>	01395 516551
<b>East Devon District Council</b> (Nuisance, Public Health & Health & Safety) <i>(for local authority enforced premises)</i>	Head of Environmental Health and Equalities East Devon District Council Environmental Health Service Council Offices Knowle Sidmouth EX10 8HL  <a href="http://www.eastdevon.gov.uk">www.eastdevon.gov.uk</a>	01395 517467  Email: <a href="mailto:general@eastdevon.gov.uk">general@eastdevon.gov.uk</a>
<b>Health and Safety Executive</b> <i>(for HSE enforced premises)</i> (Health & Safety Executive require notice generally only for industrial and council owned premises including schools – please seek advice if unsure from either the Council's Environmental Health Section or the H & S Executive)	HM Principal Inspector Health & Safety Executive Ballard House West Hoe Plymouth PL1 3BL  <a href="http://www.hse.gov.uk/contact/index.htm">http://www.hse.gov.uk/contact/index.htm</a>	08701 545500  E-mail: <a href="mailto:hseinformationservice@natbrit.com">hseinformationservice@natbrit.com</a>

RESPONSIBLE AUTHORITY	ADDRESS	Contact Details
<b>Area Child Protection</b>	Area Child Protection Committee and Local Safeguarding Children Board Head of Safeguarding for the Childrens Service Child Protection Manager Childrens Services Division Foxholes Dartington TQ9 6ET  <a href="http://www.devon.gov.uk/child protection">http://www.devon.gov.uk/child protection</a>	01392 386657
<b>Devon Trading Standards</b>	Licensing Act 2003 Devon Trading Standards Trading Standards Service County Hall Topsham Road Exeter EX2 4QH	01392 381381
<b>Additional Responsible Authority Contacts for vessels –</b>		
<b>Maritime and Coastguard Agency</b>	Maritime and Coastguard Agency (For attention of Mr Tony Heslop) Plymouth Marine Office Western Region New Fish Market, Fish Quay PLYMOUTH PL4 0LH  <a href="http://www.mcga.gov.uk/c4mc a/mcga-home">http://www.mcga.gov.uk/c4mc a/mcga-home</a>	01752 266 211
<b>The Environment Agency - SOUTH WEST REGION</b>	The Environment Agency - SOUTH WEST REGION Exminster House, Exminster, Devon, EX6 8AS  <a href="http://www.environment-agency.gov.uk/?Lang= e">http://www.environment-agency.gov.uk/?Lang= e</a>	08708 506506

# Appendix D

## Legal requirements in relation to advertising applications

### The Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005

The following legal requirements need to be followed in relation to applications for:

- New Premises Licences
- Provisional Statements
- Variations to Premises Licences
- Variations to Club Premises Certificates

A person making an application in relation to the above shall advertise the application as follows:

#### 1. At the premises

Display a notice at the premises as follows:

- For a period of not less than 28 consecutive days starting on the day after the application was made to the Licensing Authority
- The notice must be at least A4 in size
- Be pale blue in colour
- Printed legibly in black ink with a minimum font size of 16
- The notice must be displayed in a prominent position at the premises
- If the premises are greater than 50 metres square, notices have to be displayed at 50 metre intervals along the site perimeter

#### 2. Notice in a local newspaper

A notice detailing the application made has to be published in a local newspaper, or if there is not one, in local newsletter, circular or similar document circulating in the vicinity of the premises.

The notice must be published at least on one occasion during the period of ten (10) working days starting on the day after the application was made to the Licensing Authority.

#### 3. Content of the Notice

The content of the notice must contain by law certain matters. Regulation 26 of the above regulations details those requirements and should be referred to when preparing a notice to advertise an application.

Sample notices are available on the Council's website or from the Council's Licensing Office.

# APPENDIX E

## Service of Copies of Applications

Type of Application	Who should be sent copies of the application IN ADDITION TO THE LICENSING AUTHORITY
New premises licence or club premises certificate	<ul style="list-style-type: none"> <li><input type="checkbox"/> Devon and Cornwall Constabulary</li> <li><input type="checkbox"/> Devon Fire and Rescue Service</li> <li><input type="checkbox"/> EDDC Planning &amp; Countryside Service</li> <li><input type="checkbox"/> EDDC Environmental Health &amp; Equalities Services (or HSE)</li> <li><input type="checkbox"/> Devon Trading Standards</li> <li><input type="checkbox"/> Devon Area Child Protection</li> </ul>
Application for a Provisional Statement	<ul style="list-style-type: none"> <li><input type="checkbox"/> Devon and Cornwall Constabulary</li> <li><input type="checkbox"/> Devon Fire and Rescue Service</li> <li><input type="checkbox"/> EDDC Planning &amp; Countryside Service</li> <li><input type="checkbox"/> EDDC Environmental Health &amp; Equalities Services (or HSE)</li> <li><input type="checkbox"/> Devon Trading Standards</li> <li><input type="checkbox"/> Devon Area Child Protection</li> </ul>
Personal Licence Application	Licensing Authority only
Temporary Event Notices	Devon and Cornwall Constabulary
Variation to a premises licence or a club premises certificate	<ul style="list-style-type: none"> <li><input type="checkbox"/> Devon and Cornwall Constabulary</li> <li><input type="checkbox"/> Devon Fire and Rescue Service</li> <li><input type="checkbox"/> EDDC Planning &amp; Countryside Service</li> <li><input type="checkbox"/> EDDC Environmental Health &amp; Equalities Services (or HSE)</li> <li><input type="checkbox"/> Devon Trading Standards</li> <li><input type="checkbox"/> Devon Area Child Protection</li> </ul>
Licence Transfer Application	Devon and Cornwall Constabulary
Interim Authority Notice	Devon and Cornwall Constabulary
Notice of interest in premises	Licensing Authority only
Notification of change of address of a premises licence holder	Licensing Authority only
Change of registered address of a club	Licensing Authority only
Notification of change of club rules or name	Licensing Authority only
Application to vary the designated premises supervisor	Licensing Authority only

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