

Environmental Health - Licensing  
Borough Council of King's Lynn & West Norfolk  
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Borough Council of  
**King's Lynn &  
West Norfolk**



## Licensing Act 2003

### Application for the mandatory alcohol condition under the Licensing Act 2003 requesting a Designated Premises Supervisor in respect of a premises licence to be disapplied

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#### 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.

Once completed, send your application to the following:-

- **[original] The Licensing Team**, Environmental Health & Housing, Borough Council of King's Lynn and West Norfolk, King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
- **[copy] Norfolk Constabulary Licensing Team**, Bethel Street Police Station, Bethel Street, Norwich, Norfolk, NR2 1NN.

**We** .....  
being a board or committee of individuals with responsibility for the management of the community premises described in Part 1 below, and being the applicant for a premises licence / premises licence holder *[delete as applicable]* in respect of those premises apply for the condition referred to in section 19(4) of the Licensing Act 2003 to be included in the licence instead of the conditions referred to in section 19(2) and (3) of the said Act. (see guidance note 2).

#### Part 1 – Community premises details

Name, postal address of premises or, if none, ordnance survey map reference, or description	
Post town:	Postcode:

Telephone number at premises (if any):

Premises Licence Number :

**Brief description of premises and the composition of the committee or board of individuals with responsibility for the management of the premises** (Please see Guidance Note 3)

**Please describe how you will ensure that alcohol sales are properly supervised and what arrangements you have in place (if any) for hiring out the premises** (Please see Guidance Note 4)

## Part 2 – Applicant Details

please tick ✓ yes

We are the premises licence holder

Contact phone number in working hours (if any)

**Current Postal Address (if different from premises address):**

**Post Town:**

**Post Code:**

**Please provide email address if you would prefer us to contact you by email (optional):**

*Please tick ✓ yes as appropriate*

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

This form accompanies a new premises licence application

If you are varying an existing licence and have not ticked one of the first two boxes above, please explain why in the box below.

**Reasons why you have failed to enclose the premises licence or relevant parts**

**Any further information to support your application**

## **Checklist**

### **If applying to remove the mandatory requirements from an existing premises licence that already authorises alcohol sales**

please tick ✓ yes

- I have made or enclosed payment of the fee (£23 – cheques should be made payable to 'BCKLWN')
- I have included documents (if available) which identify the premises and how it is managed
- I have included copies of any hiring agreements
- I have sent a copy of this application to the chief officer of police
- I understand that if I do not comply with the above requirements my application will be rejected

### **If applying alongside a new application or variation for a permission to allow alcohol sales**

- this application accompanies a new premises licence application / this application accompanies an application to vary an existing premises licence   
*[delete as applicable]*
- I have enclosed the premises licence or relevant part of it or provided an explanation
- 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 up of any amount.**

The Council has a duty to process and store your personal information safely and securely in line with data protection legislation, which here means the General Data Protection Regulations (Regulation (EC) 2016/679 which is in force from 25 May 2018) (GDPR) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then any successor legislation to the GDPR.

The Borough Council of King's Lynn and West Norfolk (the Council), of Kings Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX is the data controller for the purposes of the GDPR and associated domestic law.

We will use your personal information for the purposes of the provision of the licensing services. The processing of this information is necessary for the Council to undertake a public task, i.e. the processing is necessary for the Council to perform a task in the public interest or for its official functions, and the task or function has a clear basis in law, in this case the Licensing Act 2003.

Your data will be used for this specific purpose and may be passed to such third parties, including Council departments and other agencies where there is lawful authority to do so, including for the purposes of preventing or detecting fraud or other crimes.

Your information will be kept strictly confidential. It will be stored separately from other information in a secure, password-protected database on the Council's computer system.

Your personal information will be kept for as long as you require a licence and for a period after the service is terminated. You can find more information about our retention policy on the [privacy notice](#) page which can be found at the following link <https://www.west-norfolk.gov.uk/privacy>. We will only use your data within the terms

of data protection laws, will delete your data securely and only keep it for as long as necessary. We will review dates for keeping personal data in the future and if necessary update these privacy notices.

You have a number of rights available to you, including the right to see copies of all the data held about you by the Council, to ask for it to be corrected, updated or deleted, to request the Council to restrict what it does with your data in certain circumstances, to object to what the Council may do with your data, and to data portability.

Please note that these rights are not absolute and that there are circumstances where they do not apply or the Council's obligations may override these rights. If this is the case, you will be informed of this.

You can find more information about Data Protection and the Council's Data Protection Officer, on our [Data Protection](https://www.west-norfolk.gov.uk/dataprotection) page which can be found at the following link <https://www.west-norfolk.gov.uk/dataprotection>

If you are unhappy with the way your personal information is being handled you can contact the [Independent Information Commissioner, website: https://ico.org.uk/](https://ico.org.uk/).

**Part 3 – Signatures** (Please see guidance note 5)

Signature of applicants. Please provide two signatories of members of the management committee stating in what capacity they represent the premises licence holder.

First Signature: .....

Name in Full: .....

Capacity: ..... Date: .....

Second Signature: .....

Name in Full: .....

Capacity: ..... Date: .....

**Contact name (where not previously given) and address for correspondence associated with this application.**

**Post Town**

**Post Code**

**Telephone number (if any)**

**E-mail address (optional):**

**Notes for Guidance**

1. This form may be used by a community premises seeking to replace the mandatory conditions in sections 19(2) and 19(3) of the 2003 Act which requires a personal licence holder and Designated Premises Supervisor where a premises allows the supply of alcohol, with the alternative mandatory condition (in section 19(4) of the Act) that the supply of alcohol is instead authorised by the premises licence holder through either:

- applying to remove the mandatory conditions of an existing premise licence which allows the sale of alcohol;
- applying to remove the mandatory conditions when applying for a new premises licence that includes the sale of alcohol; or
- applying to remove the mandatory conditions when applying to vary an existing premises licence to allow the sale of alcohol.

On applying for the removal of the requirement to have a Designated Premises Supervisor, the management committee should understand that if this is granted they will be responsible for all alcohol sales under the licence.

2. The applicant must be a committee or board of individuals with responsibility for the management of the premises – enter name of committee or board.

3. Describe the premises and the management structure. In particular, explain why you consider it to be a community premises i.e. is it available for community benefit most of the time and accessible by a broad range of persons and sectors of the local community for purposes beneficial to the community as a whole. If the community premises is a registered charity, please include its Charity Commission number. Set out how the premises is managed and the structure of the committee or board of individuals with responsibility for its management (including the names of the committees of board's key officers, e.g. the chair, secretary, treasurer). Please include any documents e.g. a written constitution or other management documents that show the structure of the premises and how it is managed.

4. Describe how the supervision of alcohol sales is to be ensured in different situations (including e.g. when the community premises is hired to private parties, when the community premises is hired for large fundraising events and when the community premises is hired for short fundraising events by local voluntary organisations). Set out how responsibility for alcohol sales is to be determined in individual cases and discussed and reviewed within the committee's or board's procedure in the event of any issues arising. You should include copies of hiring agreements that describe the arrangement made between the community premises and the hiring party. You should note that sample hire agreements are available from e.g. ACRE and Community Matters. More information about these hire agreements is contained in the statutory Guidance.

5. Applications to substitute the section 19(4) mandatory condition must be made by a management committee or similar structure which holds or will be the holder of the premises licence for the community premises. Please state in what capacity you are signing the application (e.g. Committee Chair, committee member, Hall secretary etc).

6. Please send a copy of this form to the chief officer of police for your area.