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Guide to completing an application to Vary a Premises Licence to specify an Individual as Designated Premises Supervisor

This application must be completed when a Premises Licence Holder intends to vary (that means change) the existing Designated Premises Supervisor (DPS).

Premises will not be authorised for the sale or supply of alcohol where there is no named DPS in place. The main purpose of the “designated premises supervisor” (DPS) as defined in the 2003 Act is to ensure that there is always one specified individual, who can be readily identified for the premises where a premises licence is in force. That person will normally have been given day-to-day responsibility for running the premises by the premises licence holder. The DPS must be contactable and accountable for the premises and not merely a name on the licence.

The application form should be completed by the premises licence holder(s) or their agent (i.e. solicitor or Licensing agent) and should be accompanied by a signed consent form from the incoming DPS

The premises licence (if available) also needs to be included with the application form. If the applicant is unable to do so they must complete the relevant section stating why they are unable to.

The completed & signed application form, signed consent form and proof of payment should be sent via email to

Licensing@Burnley.gov.uk

If sent by email Burnley Council will forward a copy of that to the Police

If the application is made by post it goes to Burnley Borough Council Licensing Unit, 1st Floor, Parker Lane Offices, Parker Lane, Burnley, BB11 2DT

However If you send the application by post then a copy of the application form and consent form must also be sent to the Police Licensing Office at the address below:-

Police Licensing Team, Burnley Police Station, Parker Lane, Burnley, BB11 2BT

Notes to assist

Please note a full application contains

- A Completed VARY DPS form
- A completed DPS consent form (from the incoming DPS)
- And – proof of payment of the fee of £23

Vary DPS Application Form

At the top of the first page of the application form you will need to write the name(s) of the current premises licence holder(s) and provide the Premises Licence number. If you are transferring the Premises Licence Holder then that is a separate application, but put the new premises licence holder as the applicant for the Vary DPS application.

Part 1

Write the name, postal address and telephone number of the premises for which you require the licence. You will need to provide a brief description of the premises (see note 1 at the rear of the form).

Part 2

Please complete the boxes with the full name of the proposed DPS, their personal licence number and the name of the council which issued it. You will also need to state the full name of the existing DPS if there is one. We need the full name, contact number (ie Mobile number) and the email address of the incoming new DPS.

Please tick the boxes that apply. If you request the variation of DPS to have immediate effect, this will occur as soon as the licensing authority receives a correctly completed application and will remain in place until formally determined or withdrawn.

If you are not able to return the premises licence you will need to state exactly why not.

On page 2 of the application form, there follows a check list to work through to confirm what else needs to be submitted along with the form and the procedure..

Part 3 – Signatures

Please ensure that all applicants sign the form or, if an agent such as a solicitor is making the application, this needs to be shown in the capacity field (see notes 2 to 4 at the rear of the application form).

What happens next?

Please check through the form to make sure all appropriate parts have been completed.

The police have 14 consecutive days (starting with the day they receive your application) to make an objection to your application.

If the police do not make an objection within the 14 day time period the variation of DPS will be granted and a new licence issued. **(The Premises Licence Summary section of the licence must be prominently displayed at the premises.)**

If, the police make an objection within the 14 day time period and the objection shows that the police have good grounds for believing that the variation of the DPS would undermine the licensing objective of the prevention of crime and disorder, a hearing will be held before the Licensing Sub-Committee (unless all parties agree a hearing is unnecessary), whereby all relevant parties may attend.

The Licensing Sub-Committee will consist of three elected members of the Council. The applicant will be able to give evidence in support of their application, answer questions and call any witnesses. The Committee will listen to evidence from all parties before deciding whether to grant the variation of the DPS or refuse it. If the applicant is dissatisfied with a decision made by the Licensing Sub-Committee, the applicant can appeal to the Magistrates Court within 21 days of being notified of the Licensing Sub-Committee's decision.

For further information please contact the Licensing Unit by email:
licensing@burnley.gov.uk

PAYMENT OF THE FEE

To accept an application we require proof of payment of the applicable fee, which is £23.

The preferable method of payment is bank transfer, and if this is used then send a screen shot of the transaction as proof of payment.

[See below for information on payment options](#)

The preferred method of payment is by bank transfer using the following bank account details for Burnley Borough Council:

Bank.: HSBC
Account: 91206850
Sort Code: 40 15 17

Alternatively, payment can be made over the phone by contacting 01282 425011 and asking to be put through to payments (please do not use the automated payment service as this is not set up to support payments for Licensing & Environmental Health). Please be aware that due to an increased demand placed on the Council's switchboard service, you may be held in a queue.

Please quote the relevant reference code and give a brief description of your name/premises name and the type of licence you are applying for when making payment:

Reference Code	Payment for:
FSAFE/3331	Food Hygiene Re-Rating Food Export Health Certificate Street Traders Food Advisory Visit
R6160 / 3331	All taxi matters
HSAFE / 3331	Skin Piercers Registration Animal Welfare Licences (pet shops, boarding kennels, riding establishments etc)
R6161 / 3331	Premises Licences (alcohol & entertainment) Personal Licences (alcohol) Gambling Premises Scrap Metal Second Hand Goods Lotteries
R6005/3358	Environmental Permits Environmental Protection Matters

Please email a copy of your receipt for payment/screenshot of your transaction to: tracy.crawshaw@liberata.com and copy to licensing@burnley.gov.uk and envhealth@burnley.gov.uk)

It is also useful to add the receipt number/screenshot of your transaction to your application when submitting it to the Council.