Licensing Pre-Application Advice, Application Assistance, Check and Send

Take the headache out of your licence applications with our NEW services

Cornwall Council’s Licensing Service now offers Pre-Application Advice and Application Assistance together with our ‘Check and Send’ service. These services aim to support your application(s) under the Licensing Act 2003 (i.e. alcohol, entertainment and late night refreshment).

Our aim is to assist you in applying for the correct level of licensing to suit your needs and to help mitigate any problems which may arise during the application process.

However, our advice and assistance cannot prejudge the outcome of a licensing application, especially if representations are received and a Licensing Act Sub-Committee hearing is necessary.

What service is provided with the pre-application advice?

We will:-

- Provide advice so that you can determine which licence(s), if any, are required.
- Provide advice to ensure you apply for the correct level of licensing tailored to the needs of your business.
- Provide advice on drawing up plans to accompany the application in accordance with relevant regulations.*

What service is provided with the application assistance?

We will:-

- Assist you with completion of the statutory application forms.
- Assist you with drawing up plans to accompany the application in accordance with the relevant regulations.*
- Assist you with completion of the statutory public and press notices.*
What service is provided with the Check and Send service?

We will:-

- Check your application to ensure it is valid and has been correctly completed.
- Submit electronically on your behalf to the appropriate licensing office.
- Give you an acceptance date so that the relevant statutory consultation period commences immediately from that date.*
- Assist you with completion of the statutory public and press notices and provide you with completed copies of the required notices.*
- Submit on your behalf to the relevant Responsible Authorities.*
- Serve the application on the existing Designated Premises Supervisor.*

What are the benefits to you?

✓ **Save time:** applications can be delayed due to basic errors - avoid these delays by using our services.

✓ **Save money:** we will help to ensure the process will not need to be re-started; you will avoid incurring additional costs in re-submitting press notices.*

✓ **Give peace of mind:** we will make sure your application is correctly completed, that you only apply for what you need and ensure your licence is fit for purpose.

✓ **Secure:** we will ensure your application is electronically submitted and depending on the type of application, serve on the relevant Responsible Authorities

* if applicable
How much does it cost?

The fixed fees for this quality service include VAT and cover the cost of administration, delivery of the service and are not for profit.

The fees are detailed in the table below. Save money by purchasing more than one service at the same time.

<table>
<thead>
<tr>
<th>Service Description</th>
<th>Pre-application Advice</th>
<th>Application Assistance</th>
<th>Check &amp; Send</th>
<th>Application Assistance and Check &amp; Send</th>
<th>Pre-application Advice and Application Assistance and Check &amp; Send</th>
</tr>
</thead>
<tbody>
<tr>
<td>Grant, Variation, Provisional Statement</td>
<td>£36</td>
<td>£48</td>
<td>£48</td>
<td>£72</td>
<td>£96</td>
</tr>
<tr>
<td>Minor Variation</td>
<td>£36</td>
<td>£36</td>
<td>£28</td>
<td>£50</td>
<td>£77</td>
</tr>
<tr>
<td>Transfer</td>
<td>£16</td>
<td>£12</td>
<td>£10</td>
<td>£17</td>
<td>£30</td>
</tr>
<tr>
<td>Variation of Designated Premises Supervisor (DPS)</td>
<td>£16</td>
<td>£12</td>
<td>£10</td>
<td>£17</td>
<td>£30</td>
</tr>
<tr>
<td>Transfer &amp; Variation of DPS (at the same time)</td>
<td>£24</td>
<td>£18</td>
<td>£15</td>
<td>£26</td>
<td>£45</td>
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<tr>
<td>Dis-apply mandatory DPS condition</td>
<td>£16</td>
<td>£12</td>
<td>£10</td>
<td>£17</td>
<td>£30</td>
</tr>
<tr>
<td>Interim Authority</td>
<td>£16</td>
<td>£16</td>
<td>£10</td>
<td>£21</td>
<td>£33</td>
</tr>
<tr>
<td>Temporary Event Notice</td>
<td>£12</td>
<td>£12</td>
<td>£10</td>
<td>£17</td>
<td>£26</td>
</tr>
<tr>
<td>Personal Licence</td>
<td>£12</td>
<td>£16</td>
<td>£10</td>
<td>£21</td>
<td>£29</td>
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</tbody>
</table>

Payment for the services, which is in addition to the relevant statutory application fee, can be made by cheque, credit/debit card or cash.

We also operate impartially and free from conflicts of interest. Businesses should be aware that it may be possible to obtain the same services as those offered by Cornwall Council Public Protection Service elsewhere. We encourage businesses to make their own investigations with alternative providers as to whether the services are available elsewhere and to obtain the best value for those services. Please note that businesses are not obligated to take up the services offered by Cornwall Council Public Protection Service.

To take advantage of our services or for any queries please do not hesitate to contact us:

Email licensing@cornwall.gov.uk or telephone the relevant Licensing Team:

- Central Licensing Team 01726 223433
- East Licensing Team 01208 893346
- West Licensing Team 01209 615055
Licensing Act 2003 Pre-Application Advice, Application Assistance, Check and Send Services

TERMS AND CONDITIONS

1. The ‘Pre-Application Advice’ Service

1.1 The Licensing Service will:

(a) provide advice in order that the customer can determine which licence application(s), if any, are required;

(b) provide advice to ensure the customer applies for the correct level of licensing tailored to the needs of their business;

(c) where applicable, provide advice on drawing up plans to accompany the application in accordance with relevant regulations.

2. The ‘Application Assistance’ Service

2.1 The Council will:

(a) assist the applicant with completion of the statutory application forms;

(b) where applicable, assist the applicant with drawing up plans which meet the relevant regulations;

(c) where applicable, assist the applicant with completion of the statutory public and press notices.

2.2 The Applicant:

(a) is responsible, where applicable, for ensuring the statutory notice is displayed on the premises in accordance with the regulations;
(b) is responsible, where applicable, for ensuring the press notice is published in a local newspaper within 10 working days of the application being accepted;

(c) is responsible for providing copies of any documentation requested by the Council Officer within a reasonable time to facilitate the completion of the application;

(d) is responsible for keeping copies of any documents provided to the Council Officer.

3. The ‘Check & Send’ Service

3.1 The Council will:

(a) check the application to ensure it is valid and has been correctly completed;

(b) provide the applicant with an acceptance date so that, where applicable, the statutory consultation period commences immediately from that date;

(c) where applicable, assist the applicant with completion of the statutory public and press notices and provide you with the required:

   i   public notice(s) for display on the premises
   ii  press notice for the applicant to arrange to publish in a local newspaper

(d) Where applicable, facilitate the electronic submission of the application on behalf of the applicant to the relevant Responsible Authorities as defined in the Licensing 2003 (“Responsible Authorities”).

3.2 The Applicant:

(a) is responsible, where applicable, for ensuring the statutory notice is displayed on the business premises in accordance with the regulations;

(b) is responsible, where applicable, for ensuring the press notice is published in a local newspaper within 10 working days of the application being accepted;
(c) is responsible for providing copies of any documentation requested by the Council Officer within a reasonable time to facilitate the completion of the application.

4. All Services

4.1 The applicant will, where requested, prove their identity by providing the Council Officer with the relevant requested ID. This may also include proof of a position held within a company or organisation and/or authority to submit the application.

4.2 The applicant is responsible for co-operating with the Council, providing documentation requested within a reasonable time and ensuring that all information provided to the Council Officer is accurate and true to the best of their knowledge and belief. The Council provides the services on the basis of the information provided. Any false declarations made by the applicant may result in prosecution.

4.3 The applicant is responsible for keeping copies of any documents provided to the Council officer.

4.4 Approval of any licence application(s) cannot be guaranteed. Any Responsible Authority and/or member of the public, a business, etc. (“Other Person”) may make representations in respect of certain applications and the application may be referred to Cornwall Council’s Licensing Act Sub-Committee for a decision.

4.5 The Council shall not be responsible for any delay incurred after the application has been submitted to the Responsible Authorities.

4.6 The applicant should not rely on any information received as legal advice. Where the applicant has any concerns or questions in respect of their application they should consider obtaining their own independent legal advice.

4.7 Using any of these services will not prejudice any future statutory inspection.

4.8 Cornwall Council’s Public Protection Service is empowered to enforce a variety of civil and criminal statutes. It has a duty to investigate any allegations of breaches of such legislation and the provision of this service does not affect this duty in any way whatsoever.
5. The Fee

5.1 The applicant shall pay the fee (inclusive of VAT) (“the Fee”) for each service provided.

5.2 Payment of the fee shall be made in advance of any service being undertaken.

5.3 Payment of the fee can be made by cheque, credit/debit card or cash. The fees are non-refundable.

5.4 The applicant will be required to pay any statutory licensing application fee in addition to the fee for any of the additional services.

6. Data Protection
The Council will not keep information longer than is necessary and whilst in our possession we will safeguard your personal information according to the requirements of the Data Protection Act 1998 or any equivalent legislation as amended from time to time.

Please note that the confidentiality of information held by the Cornwall Council cannot be guaranteed. We may receive requests under the Freedom of Information Act as amended from time to time to disclose information about pre-application assistance and the assistance we have provided.

8. Limitation of Liability
The Council’s total aggregate liability to the applicant and the business obtaining the benefit of the services, whether in contract, tort (including negligence), for breach of statutory duty or otherwise, arising under or in connection with this agreement shall be limited to 125% of the fee for the service provided.

9. Intellectual Property Rights
All intellectual property rights in any materials created or developed by the Council pursuant to this agreement or arising as a result of the provision of the services shall vest in the Council. The Council licenses all such rights to the applicant free of charge and on a non-exclusive basis to such extent as is necessary to enable the applicant to make reasonable use of the services.
10. Disclaimer
The services are provided by experienced and qualified members of the Cornwall Council Licensing Team within the Public Protection Service. The services do not prevent any of the Responsible Authorities and Other Persons submitting a representation to your application. The Council’s Licensing Officers are unable to give any guarantees about the decision that will be made on an application. An application that results in representations being received may be referred to the Licensing Act Sub-Committee, where the application and the representations will be considered on their own merits and determined accordingly.

11. Dispute Resolution
If you or your business have any complaints or are not satisfied with the quality of the services provided please refer to the Council’s Corporate Complaints Procedure available on the Council’s website or from your local Council Office.

The applicant is required to complete the section below or email licensing@cornwall.gov.uk to confirm acceptance of these terms and conditions.

<table>
<thead>
<tr>
<th>Date</th>
<th>Signed by Applicant</th>
<th>Please tick which Services you wish to receive (please tick all that apply)</th>
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<tbody>
<tr>
<td></td>
<td></td>
<td>Pre Application Advice Service</td>
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<tr>
<td></td>
<td></td>
<td>Application Assistance Service</td>
</tr>
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<td></td>
<td></td>
<td>Check &amp; Send Service</td>
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Print Name:

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<tr>
<th>OFFICE USE ONLY</th>
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<tbody>
<tr>
<td>Date</td>
</tr>
<tr>
<td>Print Name:</td>
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</tbody>
</table>