



**PUBLIC
PROTECTION**

a service of Cornwall Council



Licensing Act 2003 (as amended)

Applying to

Transfer a Premises Licence

Guidance for Applicants

www.cornwall.gov.uk

Applying to Transfer a Premises Licence

Introduction:

Under the regulations set out under the Licensing Act 2003, every Premises Licence lists the name and address of the individual(s) or organisation which holds that licence and has responsibility for the activities carried on in the premises. Ownership or control of the licensed premises typically changes when the premises are sold or leased from one person or company to another. When this happens, an application to transfer the licence must be made immediately as you'll need the licence put in your name before you can operate.

Criteria:

A licence may be held by an individual (or individuals), a limited company, a partnership, unincorporated association or a similar organisation, a members club, a charity, the proprietor of an educational establishment or a person carrying out statutory functions.

Any individual who holds a Premises licence must be over the age of 18 years, and have the legal right to work in the UK. Copies of official documents to demonstrate this will be required from every individual applicant (see below).

If an individual, company, corporation or partnership wishes to hold a Premises Licence, they must be engaged in a business involving the use of the premises for licensable activities, or proposing to engage in such a business. A person without the legal right to occupy and utilise a premises may not hold a licence for that premises.

Applying to Transfer a Premises Licence:

In order for a Premises Licence to be transferred an application must be made to the Licensing Authority (in this case **Cornwall Council**) and the following must be submitted:

- **Premises Licence Transfer application form**
Form to be completed by the incoming Licence Holder or by an agent/solicitor working on their behalf.
- **Consent of Premises Licence holder to Transfer**
Form to be completed by the outgoing Licence Holder(s)
- **Premises Licence**
The full licence, or relevant part thereof.
- **Documentation showing your right to live and work in the UK**
Individual applicants and applications from partnerships which are not limited liability partnerships must now demonstrate that they have the right to work in the UK. This requirement does not apply to limited liability partnerships. Guidance Note 2 at the end of the Transfer application form details the documents which can be used. Applicants will need to provide copies or scanned copies of these documents (they do not need to be certified copies).
- **£23 application fee**

Transferring a Premises Licence with Immediate Effect:

You can ask for a transfer application to have immediate effect so that you can start operating the business as soon as we receive your application. If this is the case then please make sure you tick the relevant box on the application form so that we know this. The **Transfer** has immediate effect as soon as the application has been received and accepted by the Licensing Authority (Cornwall Council) and copied to the Police and the Home Office. We will send you an acknowledgement once your application has been accepted.

Once the application has been accepted the Police and the Home Office (Immigration Enforcement) have 14 days in which to object to the Transfer.

If no objection is received, your application will be granted and you'll receive your licence in the post. If an objection is received we will contact you about this.

Submitting your Application:

Applications to Transfer a Premises Licence can be submitted either online or by post. The application has to be served on **Cornwall Council's Licensing Service** and copied to **Devon and Cornwall Police** and the **Home Office (Immigration Enforcement)**.

If you apply via the online system we will copy the forms to the **Police** and the **Home Office** on your behalf.

Online Applications:

We recommend that you submit your Transfer application online via the GOV.UK website. Once the forms have been completed and uploaded the system will ask you to make a card payment.

The web page for making this application online can be found via the following link:

<https://www.gov.uk/apply-for-a-licence/premises-licence/cornwall/change-3>

Postal Applications:

If you wish to submit your application by post you will need to serve the completed forms on **Cornwall Council's Licensing Service** and copy them to **Devon and Cornwall Police** and the **Home Office** as follows:

Licensing:

- Post the completed forms, premises licence, evidence of your right to live and work in the UK and a cheque for £23 (made payable to Cornwall Council) to the Licensing Team covering your area:

East Licensing
Cornwall Council
Chy Trevail
Beacon Technology Park
Bodmin
PL31 2FR
Tel: 01208 893346

Central Licensing
Cornwall Council
Chy Trevail
Beacon Technology Park
Bodmin
PL31 2FR
Tel: 01726 223433

West Licensing
Cornwall Council
Dolcoath Avenue
Camborne
TR14 8SX
Tel: 01209 615055

Police:

- Post copies of the completed forms to the following address:

Licensing Department, Launceston Police Station, Moorland Road, Launceston, PL15 7HY

Home Office:

- Post copies of the completed forms to the following address:

Alcohol Licensing Team Home Office Lunar House 40 Wellesley Road Croydon CR9 2BY

NOTE: In all cases it is recommended that you obtain proof of postage:

Do you need to change the named Designated Premises Supervisor (DPS)?

If the licence in question allows the supply of alcohol it may also be necessary to change the named **DPS** on the Premises Licence. As the new Licence Holder you are legally responsible for making sure you have a Designated Premises Supervisor in place before alcohol sales can take place. Please contact us if you have any doubts about this.

If you have any queries please don't hesitate to contact us

by calling 0300 1234 212 or emailing licensing@cornwall.gov.uk

If you require help with your application you may wish to take advantage of our **Licensing Direct** service. Please contact us for more details

Further licensing information is available on the Council's website www.cornwall.gov.uk