



High Peak Borough Council

working for our community

PERSONAL LICENCE HOLDERS NEWSLETTER OCTOBER 06

Almost 12 months has passed since the Licensing Act 2003 came into effect. The Licensing Team thought you might like to hear from us with some topics that might be of interest to you.

High Peak Borough Council has now licensed a total of 559 people in the Borough to be personal licence holders.

Approximately 390 people were licensed during 2005 under



'grandfather rights' prior to the Licensing Act coming into force on 24 November.

As you may be aware, many of the anticipated problems associated with longer operating hours have not arisen. However, during the heat wave in July, both Environmental Health and the Licensing Section did see an increase in noise nuisance reports from licensed premises.

This Council remains vigilant in monitoring when such complaints are received and is working closely with the Police to ensure that nuisance from licensed premises is dealt with speedily.

As a personal licence holder you have several legal obligations. These are to notify us if:

- you change your name or address;
- you lose your licence or badge;
- you are convicted of a relevant offence

You can be prosecuted for committing a criminal offence if you do not comply with your legal obligations (see attached letter).

You must also be able to produce your badge when requested by an authorised person when you are selling alcohol.

There is a form available either by request or on this Council's website to use to notify us of a change of address, or you can simply write to us. The statutory fees are £10.50 for both changes to/or loss of a licence.



BIIAB National Certificate for Designated Premises Supervisors

A new qualification has been developed by the BIIAB in conjunction with local authorities, the Police, and the industry to support the new post of designated premises supervisor (DPS) created by the Licensing Act.

For more information visit www.bii.org or call 01276 684449.

Authorisations to sell alcohol: Under the Licensing Act the DPS can authorise someone to sell alcohol in his/her absence. It is good practice to do this in writing and to get the authorised person to sign and date when they accepted this responsibility.

Authorisations should be kept safely on the premises as they might be requested by an officer of this Council or the Police.



New legislation to deal with noise from licensed premises: There is now a new offence under the Noise Act 1996. This gives local authorities the power to issue fixed penalty notices of £500 for infrequent occurrence of excessive noise between 2300 and 0700 hours. This new legislation complements existing powers in the Environmental Protection Act, the Licensing Act and the Anti-Social Behaviour Act.

Temporary Event Notices (TEN): Don't forget, if your current premises licence doesn't cover you for the hours you wish to sell alcohol or regulated entertainment for a certain event, you must serve a TEN on the licensing authority in whose area the event is to take place and on the Police.

Make sure the TEN is served at least 10 clear working days before the event (longer if possible). Failure



to comply with the set time frame will result in your Notice being returned. The statutory fee is £21.00 and cheques should be made payable to High Peak BC.

Comments please: Is this newsletter useful? We would like to hear from you. Let us know what you would like including in the next edition (contact information shown below).

High Peak Borough Council
0845 129 77 77
www.highpeak.gov.uk

Licensing Team

Contacts:

Ian Nicholls - Environmental Health Manager - ext.4461

Sue Lomas - Licensing Admin. Officer - ext.4452

Tish Robson - Licensing Admin. Assistant - ext.4450