



# Licensing

## Pre-Application Advice



Date of publication	
Version no.	1.0 DRAFT
Date of last revision	xx xxxx 2019

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## Introduction

The Licensing team deals with many different areas of regulation. For simplicity, this document will use the term 'licence' generically, where some forms of licensing result in consents, registrations, permits or notifications.

It is important to understand that we cannot predetermine the outcome of any application submitted but we can give you expert advice and highlight any potential issues and advice on how applications may be approached.

### **Applications for which assistance can be obtained**

This service is available to assist you in preparing applications for the following:

#### **Alcohol, entertainment and late night refreshment licensing**

- Licensing Act 2003

#### **Animal welfare licensing**

- Dangerous Wild Animals Act 1976

#### **Betting, gaming and lottery licensing**

- Gambling Act 2005

#### **Caravan Site Licensing**

- Mobile Homes Act 2013

#### **Sex establishment licensing**

- Local Government (Miscellaneous Provisions) Act 1982 (part II)

#### **Skin piercing, tattooing and acupuncture licensing**

- Local Government (Miscellaneous Provisions) Act 1982 (part VIII)

#### **Street trading licensing**

- Local Government (Miscellaneous Provisions) Act 1982 (part III)

### **Why use the service?**

As applications for licences can be quite complex, and have a wide variety of requirements depending on the legislation under which they are in place, it may be beneficial to applicants to seek advice prior to completing and submitting an application. One example that highlights the importance of getting the process right is the requirement to use a newspaper notice to alert people of your application. Getting the advert details or timing wrong could lead to the application being invalid, and the applicant losing the money spent on that notice; obtaining advice from the Council is a good way to avoid this sort of mistake, which is not unusual and easily made.

As well as ensuring the requirements are followed, the Licensing team can assist you in drafting a good application, which ensures that you are applying for the full extent of the activities that you are likely to require for your business, whilst avoiding inadvertently including or omitting information that increases the likelihood of objections being received.

Objections to applications can lead to delays in licences being granted, and can cost time away from your business in order to resolve any issues arising, so it is best that applicants do all that they can to ensure that any unnecessary objections are avoided.

## What does the service provide?

The Licensing team is happy to assist all potential applicants with general advice, the pre-application service is there to assist at a point when you have decided that you are likely to make an application, and would like support in regards to the specific details of your application.

- We will assist you to complete application forms and associated documents
- We will provide advice in line with the Council's relevant adopted policy
- We will advise you regarding the role of Responsible Authorities and undertake basic enquiries on your behalf if required
- We can highlight to you particular issues you may need to consider for your specific application
- Advice will be provided on how to draw up any required plans
- Advice regarding advertising your application and we will provide you with any notices that are required to be displayed at your premises (also available to customers not using this service)
- We will provide basic advice regarding areas on which you should consider staff training when relevant
- Advice on the process and what to expect
- Advice is given verbally, and no written feedback will be provided as standard, although it is possible that officers may send links to further information and documents by email should this be beneficial

## Booking an appointment

You can book an appointment using our forms on our website at \*\*\*\*\*

## What information should I have available for a pre-application appointment

It is helpful if applicants bring any relevant document with them, together with either a draft of their application, or comprehensive notes regarding the details of the activity that they wish to license, including details of the setting with a plan if possible/available. It is worthwhile spending some time looking at the guidance and forms on our website prior to attending an appointment, as this will help the appointment run smoothly, and as a result the time will be more useful for you.

## What happens to my request for pre-application advice?

We will acknowledge receipt of the request for pre-application advice by letter or email, review the information submitted and request further information and/or additional payment of fee within 5 working days. In circumstances where insufficient information is provided to enable a quality response to be made or where an insufficient fee payment is received, no further action will be taken with the processing of the enquiry until the requisite information and/or fee is provided.

## Fees for pre-application advice

Fees are set annually according to the current cost of officer time. The current fee can be found on our website at <http://www.dacorum.gov.uk/home/environment-street-care/licensing/licensing-fees-charges>. The fee is per hour or part hour and is the same irrespective of what application is being considered.

We will provide advice free of charge for licences that have no fee, or are exempt of the normal fee.

Payment of fees by credit or debit card will be required through the online submission form (found on the Licensing pre-application advice web page). Alternatively, should you submit your request other than by the online form, you can pay by calling the Licensing team via 01442 228000. When making this payment please make clear it relates to pre-application advice, the type of application and the relevant address.

Fees charged:

A pre-application appointment at the Council offices or over the phone will be charged at the rate for 1 hour.

A pre-application appointment taking place on site will be charged at the rate for 2 hours.

Any subsequent charges required in the event of any subsequent meetings etc., as deemed appropriate or necessary, will be dealt with at the appropriate time.

## Advice from other departments/external bodies

There are other departments and external bodies which you may wish to consult with about your proposal, some of which may have their own pre-application charges. This will depend on the application that you are making, our webpages for each type of licence will give you some further information.

## Are applications for pre-application advice confidential?

Please be aware that Dacorum Borough Council is subject to requirements under the Freedom of Information Act 2000 and Environmental Information Regulations 2004. Where the Council receives a request to disclose any information in relation to this discussion, it will notify and consult with you concerning its possible release. However, the Council reserves the right, to disclose any such information it deems appropriate and shall be responsible for determining at its absolute discretion whether the information is exempt from disclosure in accordance with the FOIA or EIR.

## Disclaimer

Advice will be provided to you by one of an experienced team of officers. The advice given will not include that of any responsible authorities. Responsible authorities and any other persons have a legal right to make representations in respect of a licence application, this may include the licensing authority and if this is the case a different and independent officer from the team will be responsible for performing this function. If the licensing authority receives representations the discretion of the licensing sub-committee will be engaged to determine the application according to its own merits. You should be aware that the Council's officers are unable to provide any guarantees regarding decisions on applications. A decision cannot be made until an application has been formally submitted and a statutory consultation has been undertaken. The officer that provides pre-application advice will not be the same officer that considers the application.

## Annex A – Contact details

For information on this statement of licensing policy, or for informal advice on making an application or whether a particular activity is likely to require authorisation, please contact:

**Licensing  
Dacorum Borough Council  
The Forum  
Marlowes  
Hemel Hempstead  
HP1 1DN**

Email: [licensing@dacorum.gov.uk](mailto:licensing@dacorum.gov.uk)

Web: [www.dacorum.gov.uk/licensing](http://www.dacorum.gov.uk/licensing)

Many application forms for licences are available from our website, at [www.dacorum.gov.uk/licensing](http://www.dacorum.gov.uk/licensing)

To make an application or for further guidance, please visit our website:  
[www.dacorum.gov.uk/licensing](http://www.dacorum.gov.uk/licensing)

For informal advice or queries, please email:  
[licensing@dacorum.gov.uk](mailto:licensing@dacorum.gov.uk)