

## Update for Electronic Applications and Notifications

In December 2009, amendments to the Licensing Act 2003 and associated regulations came into force. The table below identifies amendments that will be made to BIIAB qualifications as a result of this.

Whilst every effort has been made by BIIAB to identify all areas of our qualifications affected by this change, it is possible that some may have been missed. Should you identify any such areas, please notify BIIAB immediately at [quals@bii.org](mailto:quals@bii.org)

Assessments for the listed qualifications will **not** be affected by these changes.

Qualification handbooks affected	Text to be added to the handbooks listed in column 1	
<b>BIIAB National Certificate for Designated Premises Supervisors</b>  <b>Edition 1 January 2006</b>	Page 12	<p><b>1.2 Eligibility to be appointed designated premises supervisor</b></p> <p>c) should now read:                      'If it becomes necessary to change the designated premises supervisor, the premises licence holder must make a formal application, in writing or electronically, to the local authority. This application must include.....together with the fee. Where an electronic application is made, all relevant documents must also be submitted electronically, but it is acceptable not to submit the licence, giving lack of access to a scanner as the reason for omission. A copy of the application.....the relevant licensing authority. Where the application is made electronically, the responsibility for informing the police rests with the licensing authority and this must be done no later than the first working day after the application is submitted. The police.....the crime and order objective.'</p>
	Page 13	<p><b>1.3 Accountability</b></p> <p>Add the following sentence to the end of a)                      'Where the operating schedule and consent form are submitted electronically, the designated premises supervisor does not have to sign the consent form unless a signature can be scanned in.'</p>
	Page 62	<p><b>7.6 Temporary even notices (TENs)</b></p> <p>Change 4<sup>th</sup> sentence in a) as follows:                      'The notice must be served no later than 10 working days prior to the event on the licensing authority and the police or, if the notice is served electronically, it may just be served on the local authority who must then serve it on the police.'</p>
	Page 65	<p><b>7.7 Reviews</b></p> <p>Add new p):                      'p) An application for a review may be made in writing or, if the licensing authority agrees, electronically via the licensing authority's main email address. Electronic applications must also be sent promptly to the recipient in writing.'</p>
	Page 92	<p><b>Appendix 6</b></p> <p><b>Notification of a change of name or address</b></p> <p>Add the following to the end of a):                      'Notifications may be given in writing or electronically.'</p> <p>Add the following to the end of c) bullet point two:                      'Where a notification is given electronically, it is not necessary for it to be accompanied by the premises licence.'</p> <p><b>Provisional statements</b></p> <p>Add the following sentence to the end of a):                      'Applications may be made in writing or electronically.'</p>

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	Page 93	<p><b>Appendix 6</b>  <b>Interim Authority Notice</b>  Add the following to the end of <b>b)</b>:  'This notice may be submitted either in writing or electronically'</p> <p>Delete current <b>c)</b> and replace with the following:  The interim authority notice must also be copied to the police. If the interim authority notice is given in writing then the responsibility for doing this lies with the applicant; if the notice is submitted electronically, then the responsibility lies with the local authority. The police may, no longer than 48 hours after receipt of the notice object if they think that the crime prevention objective would be undermined.</p>
	Page 93	<p><b>Appendix 6</b>  <b>Transfer of premises licence</b>  Replace <b>b)</b> with:  'b) The application must be made to the licensing authority, in writing or electronically, and must be accompanied by the premises licence or a statement of reasons for failure to supply the premises licence – in the case of electronic applications, not having access to a scanner is deemed to be an acceptable reason. Where the application is made in writing, a copy of the application and documents should be given to the police on the same day as the day on which the application was given to the authority. Where the application is made electronically, it is the responsibility of the licensing authority to notify the police, no later than the first working day after the application is given.'</p>
	Page 94	<p><b>Appendix 6</b>  <b>Rights of freeholders and others to be notified of licensing matters</b>  Add the following sentence to the end of <b>b)</b>:  'Notice may be given in writing or electronically.'</p>

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<p><b>BIIAB Level 2 National Certificate for Licensing Practitioners</b></p> <p><b>Edition 4 November 2008</b></p>	<p>Page 31</p>	<p><b>4.4 Application procedure</b>            Replace <b>a)</b> with:            'a) An application for a premises licence must be made, in writing or electronically, to the licensing authority in the area that the premises are situated. If applications are submitted electronically they must be capable of being accessed by the recipient and they must be in a format which is accessible, legible and provides sufficient detail for the licensing authority to be able to determine the application. There is no requirement for plans to be professionally drawn, nor for them to be to a particular scale.'</p> <p>In <b>b)</b> insert the following immediately after '...scale (1:100)':            'or, If served electronically, of no specific scale provided they are accessible, legible and provide sufficient detail'            The remainder of <b>b)</b>, from '...or to the scale agreed...' onwards stays the same.</p>
	<p>Page 32</p>	<p><b>4.4 Application procedure</b>            Change <b>c)</b> to read:            'Where an application is made in writing, the applicant must submit a copy of their application to each of the following.....(referred to in the Act as 'responsible authorities'):</p> <p>Insert new <b>d)</b> :            'Where an application is made electronically, it is the responsibility of the local authority to copy the application to each of the responsible authorities listed above'</p> <p>d) becomes e)            e) becomes f)</p>
	<p>Page 39</p>	<p><b>4.14 Application for the variation of an existing premises licence</b>            Add the following sentence to the end of <b>a)</b>:            'Applications may be made in writing or electronically.'</p> <p>Add the following to the end of <b>c)</b> bullet point one:            'Where an application is made electronically, not having access to a scanner is deemed to be an acceptable reason for not submitting a copy of the licence.'</p> <p><b>4.15 Application for a minor variation of an existing premises licence</b> (see update issued 17 August 2009)            Add the following sentence to the end of <b>a)</b>:            'Applications may be made in writing or electronically.'</p>
	<p>Page 40</p>	<p><b>4.17 Notification of change of name and/or address</b>            Replace <b>c)</b> with:            'c) The notice, which must be submitted in writing or electronically, should include:</p> <ul style="list-style-type: none"> <li>• The name of the applicant</li> <li>• Details of the existing address of the premises</li> <li>• Details of the changes of name and/or address as applicable.'</li> </ul> <p>Add the following to the end of <b>d)</b> bullet point two:            'Where an application is made electronically, not having access to a scanner is deemed to be an acceptable reason for not submitting a copy of the licence.'</p>

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	Page 43	<p><b>5.1 Transfer of premises licence</b> Add the following sentence to the end of <b>a)</b>: 'Applications may be made in writing or electronically.'</p> <p>Add the following to the end of <b>c)</b>: 'Where an application is made electronically, not having access to a scanner is deemed to be an acceptable reason for not submitting a copy of the licence.'</p>
	Page 44	<p><b>5.1 Transfer of premises licence</b> Replace <b>d)</b> with: 'd) For a written application, the applicant must also serve a copy of the application to the police. For an electronic application, it is the responsibility of the licensing authority to notify the police.'</p> <p>Add new <b>e)</b>: 'e) The police may, if there are exceptional circumstances, give notice of objection within 14 days if satisfied that the granting of the application would undermine the crime prevention objective.'</p> <p>Re-letter the following: e) becomes f) f) becomes g) g) becomes h)</p>
	Page 45	<p><b>5.1 Transfer of premises licence</b> Re-letter the following: h) becomes i) i) becomes j)</p> <p><b>5.2 Interim authority notices</b> Replace <b>d)</b> with: 'd) The interim authority notice must be submitted to the licensing authority, in writing or electronically, on the form prescribed in the Regulations within 7 days, beginning on the day after the day the licence lapsed.'</p>
	Page 46	<p><b>5.2 Interim authority notices</b> Add the following sentence to the end of <b>i)</b>: 'For written applications it is the responsibility of the applicant to notify the police; for electronic applications it is the responsibility of the licensing authority.'</p>
	Page 47	<p><b>5.3 Provisional statements</b> Replace the first sentence of <b>e)</b> with: 'e) The application, which may be made in writing or electronically, must be accompanied both by the appropriate fee and a schedule of works. This schedule is a document which includes.'</p>
	Page 55	<p><b>7.2 Applications for review</b> Add new <b>d)</b>: 'd) An application for a review may be made in writing or, if the licensing authority agrees, electronically via the licensing authority's main email address. Electronic applications must also be sent promptly to the recipient in writing.'</p>
	Page 59	<p><b>8.3 Notification of a temporary event</b> Replace <b>a)</b> with: 'a) A temporary event may be notified in writing or electronically.'</p> <p>Replace <b>b)</b> with: 'b) Notification must be given at least 10 working days before the event begins to the licensing authority and police in the area in which the event is to take place.'</p> <p>Add new <b>c)</b>: 'c) Premises users notifying a temporary event in writing must</p>

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	Page 59 (continued)	<p>send notice to the licensing authority in duplicate and also serve the notice on the police.'</p> <p>Add new <b>d</b>): 'd) If a temporary event is notified electronically, it is the responsibility of the licensing authority to notify the police.'</p> <p>Re-letter the following: c) becomes e) d) becomes f)</p>
	Page 60	<p><b>8.3 Notification of a temporary event</b></p> <p>Re-letter the following: e) becomes g) f) becomes h) g) becomes i) h) becomes j) i) becomes k)</p>

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<p><b>BIIAB Level 2 National Certificate for Personal Licence Holders</b></p> <p><b>Edition 10 January 2008</b></p>	<p>Page 35</p>	<p><b>7.6 Application procedure</b>            Replace <b>a)</b> with:            'a) An application for a premises licence may be made in writing or electronically.'</p> <p>Re-letter the following:            a) becomes b)            b) becomes c)</p> <p>Replace the first sentence of new <b>b)</b> with:            'b) A written application for a premises licence must be made to the licensing authority responsible for the area in which the premises is situated and should be submitted with.'</p> <p>Replace the first sentence of new <b>c)</b> with:            'c) The applicant must give notice of a written application to each responsible authority.'</p> <p>Add new <b>d)</b>:            'd) In the case of electronic applications, it is the responsibility of the licensing authority to copy the application to each of the responsible authorities.'</p> <p>Re-letter the following:            c) becomes e)            d) becomes f)            e) becomes g)</p>
	<p>Page 37</p>	<p><b>7.9 Application for the variation of an existing premises licence</b>            Replace <b>a)</b> with:            'a) The holder of a premises licence may apply at any time, in writing or electronically, to the relevant licensing authority for variation of the licence.'</p> <p>Add the following to <b>c)</b>:            'In the case of electronic applications, not having access to a scanner is deemed to be an acceptable reason for failing to provide a copy of the licence.'</p> <p><b>7.10 Application for a minor variation of an existing premises licence</b> (see update issued 17 August 2009)            Replace <b>a)</b> with:            'a) In the case of small changes that affect the premises licence, such as limited alterations to the physical layout of the premises, the premises licence holder may apply to the licensing authority, in writing or electronically, for a minor variation of the premises licence.'</p>
	<p>Page 39</p>	<p><b>7.14 Review of premises licences</b>            Add new <b>c)</b>:            'c) An application for a review may be made in writing or, if the licensing authority agrees, electronically via the local authority's main email address. Electronic applications must also be sent promptly to the recipient in writing.'</p> <p>Re-letter the following:            c) becomes d)            d) becomes e)            e) becomes f)            f) becomes g)            g) becomes h)</p>

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	Page 44	<p><b>9.3 Change of designated premises supervisor</b>            Replace <b>a)</b> with:            'a) If it becomes necessary to change the designated premises supervisor, the premises licence holder must make a formal application, in writing or electronically.'</p> <p>Add the following to the end of <b>b)</b>:            'In the case of an electronic application, this consent does not need to be signed, unless the signature of the proposed designated premises supervisor can be scanned in.'</p> <p>Replace current <b>c)</b> with new text as follows:            'It is the responsibility of the applicant to notify the police of the proposed change if the application is made in writing. In the case of an electronic application, this responsibility lies with the local authority, who must inform the police no later than the first working day after the application is made.'</p> <p>Re-letter the following:            c) becomes d)            d) becomes e)            e) becomes f)</p>
	Page 45	<p><b>10.1 Temporary events</b>            Change the first sentence of <b>a)</b> to:            'a) A person must notify a temporary event to the licensing authority (and possibly to the police, see sub-section 10.2) if they intend to organise any licensable activities, including the sale of alcohol, at premises that do not have a premises licence or club premises certificate for these activities.'</p>
	Page 46	<p><b>10.2 Notification process for a temporary event</b>            Replace <b>a)</b> with:            'a) Notification of a temporary event must be given at least 10 working days before the event is scheduled to begin and this notification can be given either in writing or electronically by the premises user.'</p> <p>Add new <b>b)</b>:            'b) Premises users giving notice in writing are required to send the notice to the licensing authority and the police:</p> <ul style="list-style-type: none"> <li>• 2 copies must be sent to the local licensing authority</li> <li>• 1 copy must be sent to the police in the area in which the event is to take place.'</li> </ul> <p>Add new <b>c)</b>:            'c) Where a premises user gives notice electronically the notice needs only to be sent to the licensing authority. It is the responsibility of the licensing authority to then notify the police.'</p> <p>Re-letter the following:            b) becomes d)            c) becomes e)            d) becomes f)            e) becomes g)            f) becomes h)</p>