

GUIDANCE NOTE

FOR APPLICATIONS FOR PROVISIONAL STATEMENTS

This guidance is for persons / bodies seeking to make an application for a provisional statement in accordance with sections 29 to 32 of the Licensing Act 2003.

A provisional statement application may be made for premises which are (or are about to be) constructed, extended or altered for the purposes of being used for one or more of the licensable activities. In essence it is an application process that gives a decision in principle regarding the suitability of premises to hold a premises licence at some stage in the future. Being granted a provisional statement will not allow premises to provide licensable activities but the procedure is designed to give some assurance to persons who may have made a considerable financial investment in a future or on-going project.

A person may apply for a provisional statement if:

- (a) He is interested in the premises;
- (b) He is aged 18 or over;

NB: A "person" in the context of a provisional statement, can be a business - for example a finance company, firm of architects or a building company. The person applying for a provisional statement does not have to be the same person who may eventually apply for the premises licence.

An applicant CANNOT apply for a provisional statement in respect of vehicles, vessels or a moveable structure.

If a person is in a position to provide comprehensive plans, and an operating schedule giving details of:

- The relevant licensable activities proposed;
- The times such activities will take place;
- The times the premises will be open to the public;
- Information about the DPS where alcohol is to be supplied AND
- The steps to be taken to promote the licensing objectives

then an application for a premises licence may be submitted instead of a provisional statement application.

Making an application

For all applications for a provisional statement, the correct application form must be completed accompanied by a schedule of works and appropriate plans.

Although not a legal requirement to do so a plan should normally be in standard scale of 1: 100, but a different scale may be acceptable.

Where possible plans need to contain the following information although it is acknowledged that for a provisional statement application this may not be possible or appropriate: -

The extent of the boundary of the building, including external and internal walls and, if different, the perimeter of the premise.

Points of access to and egress from the premise (and if different, the locations of escape routes)

Areas of the premise used for each licensable activity

Fixed structures (including furniture) which may inhibit the ability of persons to escape from the premise

The location and height of stages or raised areas in the premise

The location of steps, stair, lifts or elevators in the premise

The location of rooms containing public conveniences in the premise

The location and type of fire safety and other safety equipment in the premise

Any kitchen location at the premise

A legend may be used on the plan to show any of these issues.

Fees

To work out your application fee you will need to obtain the non-domestic rateable value (NDRV) for the premise concerned (see fees table enclosed for contact numbers).

If there is no NDRV for the premise but there is one for a larger premise you are part of then the application fee will be based on the NDRV for that premise. If there is no NDRV at all then you will fall into Band A on the table unless the premises concerned are in the course of construction in which case the fee is automatically £315. Cheques must be made payable to Milton Keynes Council.

Responsible Authorities

All applications will need to be advertised and also copied to a number of Responsible Authorities. See Guidance Notes 2 & 3 for details.

Advertising of Applications

Applications need to be advertised both at the premise and in a local newspaper. See Guidance Note 3

Queries / Application Address:

Licensing
Milton Keynes City Council
Regulatory Services
Civic
1 Saxon Gate East
Milton Keynes
MK9 3EJ

Tel: 01908 252800

Email: licensing@milton-keynes.gov.uk

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