Licensing Pre-Application Advice, Application Assistance, Check and Send Form

The Service Offer
We now offer services to support your application/s under the Licensing Act 2003 which include; Alcohol, entertainment and late night refreshment. The aim is to assist you in applying for the correct level of licensing to suit your needs and to help mitigate any problems which may arise during the application process.

The service includes;
* Determining the most appropriate licence/s you need.
* Advice to ensure your application is tailored to your business or premises needs.
* Provide advice on drawing up scaled plans of the proposed licensable area and premises.
* Assistance with the completion of your applications - Premises, Variations, Personal Licences, Transfers.
* Assist with the production of your statutory notices and press notices.
* Check your application prior to submission.
* Submit your application to the appropriate Responsible Authorities.
* Liaise with you should representations be received.

Note: We operate impartially and free from conflicts of interest. Businesses should be aware that it may be possible to obtain the same services as those offered by St. Helens Council elsewhere. We encourage businesses to make their own investigations with alternative providers to obtain the best value for those services. Please note that there is no obligation for you to take up these services.

Contact Us
To take advantage of these services or for any queries you may have contact us at;

Email: generallicensing@sthelens.gov.uk

Telephone: 01744 676770
Terms and Conditions
Please read these very carefully.

1. The Pre-Application Service

1.1 The Licensing Service will:
   (a) Provide appropriate advice in order that the customer can determine which licence application/s, if any, are required;
   (b) Provide advice to ensure the customer applies for the correct level of licensing tailored to the needs of the business;
   (c) Where applicable, provide advice on drawing up plans to accompany the application in accordance with relevant regulations.

2. The Application Assistance Service

2.1 The Council will:
   (a) assist the applicant with completion of the statutory application forms;
   (b) where applicable, assist the applicant with completion of the statutory public and press notices.

2.2 The Applicant;
   (a) is responsible, where applicable, for ensuring the press notice is displayed on the premises in accordance with the regulations.
   (b) is responsible, where applicable, for ensuring the press notice is published in a newspaper with local circulation within 10 working days of the application being accepted.
   (c) is responsible for providing copies of any documentation requested by the Council Officer within a reasonable time to facilitate the completion of the application;
   (d) is responsible for keeping copies of any documents provided to the Council Officer.

3. The Check and Send Service

3.1 The Council will:
   (a) check the application to ensure it is valid and has been correctly completed;
   (b) provide the applicant with an acceptance date so that, where applicable, the statutory consultation period commences immediately from that date;
   (c) where applicable, assist the applicant with completion of the statutory public and Notices and provide you with the required:
      i.       public notice/s for display on the premises.
      ii.      press notice for the applicant to arrange to publish in a local newspaper.
   (e) Where applicable, facilitate the electronic submission of the application on behalf of the applicant to the relevant Responsible Authorities as defined in the Licensing Act 2003.

3.2 The Applicant:
   (a) is responsible, where applicable, for ensuring the statutory notice is displayed on
The business premises in accordance with the regulations;
(b) is responsible, where applicable, for ensuring the press notice is published in a Newspaper with local circulation within 10 working days of the application being Accepted;
(c) is responsible for providing copies of any documentation requested by the Council Officer within a reasonable time to facilitate the completion of the application.

4. All Services

4.1 The Applicant will, where requested, prove their identity by providing the Council Officer with the relevant requested ID. This may also include proof of a position held within a company or organisation and/or authority to submit the application.

4.2 The applicant is responsible for co-operating with the Council, providing documentation requested within a reasonable time and ensuring that all information provided to the Council Officer is accurate and true to the best of their knowledge and belief. The Council provides these services on the basis of the information provided. Any false declarations made by the applicant may result in prosecution.

4.3 The applicant is responsible for keeping copies of any documents provided to the Council Officer.

4.4 Approval of any licence application/s cannot be guaranteed. Any Responsible Authority and member of the public, a business, or other person may make representations in respect of certain application and the application may be referred to the Licensing Sub Committee for a decision.

4.5 The Council shall not be responsible for any delay incurred after the application has been submitted to the Responsible Authorities.

4.6 The applicant should not rely on any information received as legal advice. Where the applicant has any specific concerns or questions in respect of their application they should consider obtaining their own independent legal advice.

4.7 Using any of these services will not prejudice any future statutory inspection.

4.8 The Service is empowered to enforce a variety of civil and criminal statutes. It has a duty to investigate any allegations of breaches of such legislation and the provision of this service does not affect this duty in any way whatsoever.

5. The Fee

5.1 The Applicant shall pay the fee (inc VAT) for each service.

5.2 Payment of the fee shall be made in advance of any service being undertaken.

5.3 Payment for the fee shall be made by credit/debit card.
5.4 The applicant will be required to pay any statutory licensing application fee and newspaper advertisement fees in addition to the fee for any of the additional services.

6. **Data Protection**

The Council will not keep your information longer than is necessary and whilst in our possession we will safeguard your personal information according to the requirements of the Data Protection Act 1998 or any equivalent legislation as amended from time to time.

7. **Freedom of Information Act 2000**

Please note that the confidentiality of information held by the Council cannot be guaranteed. We may receive requests under the Freedom of Information Act as amended from time to time to disclose information about pre-application assistance and the assistance we have provided. We will not disclose any personal information.

8. **Limitation of Liability**

The Council's total aggregate liability to the applicant and the business obtaining the benefit of the services, whether in contract, tort, for breach of statutory duty or otherwise, arising under or in connection with this agreement shall be limited to 125% of the fee for the service provided.

9. **Intellectual Property Rights**

All intellectual property rights in any materials created or developed by the Council pursuant to this agreement or arising as a result of the provision of the services shall vest in the Council. The Council licenses all such rights to the applicant free of charge and on a non-exclusive basis to such extent as is necessary to enable the applicant to make reasonable use of the services.

10. **Disclaimer**

The services are provided by experienced and suitably qualified members of the Licensing Team. The services do not prevent any of the Responsible Authorities and other persons submitting a representation to your application. The Council’s Officers are unable to give any guarantees about the decision that will be made on an application. An application that results in representations being received may be referred to the Licensing Sub Committee, where the application and the representations will be considered on their own merits and determined accordingly.

11. **Dispute Resolution**

If you or your business have any complaints or are not satisfied with the quality of the services provided please refer to the Council’s Corporate Complaints Procedure available on our website at [www.sthelens.gov.uk](http://www.sthelens.gov.uk).
**Signature and Agreement**

The Applicant is required to complete the sections below and return to:

generallicensing@sthelens.gov.uk; or

Licensing Team, Place Services, Wesley House, St. Helens. WA10 1HF.

<table>
<thead>
<tr>
<th><strong>Applicant Name (please print):</strong></th>
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<tbody>
<tr>
<td><strong>Full Address (inc Postcode):</strong></td>
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<tr>
<td><strong>Home/Business Telephone Number:</strong></td>
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<tr>
<td><strong>Mobile Number:</strong></td>
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<tr>
<td><strong>Email Address:</strong></td>
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<tr>
<td><strong>Service/s Applied for:</strong></td>
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<tr>
<td><strong>Signature of Applicant:</strong></td>
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<td><strong>Date:</strong></td>
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**OFFICE USE ONLY**

<table>
<thead>
<tr>
<th><strong>Date/Dates of advice/appointments:</strong></th>
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<tbody>
<tr>
<td><strong>Fee Paid (please date and state amount):</strong></td>
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<tr>
<td><strong>Licensing Officer (print name):</strong></td>
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<tr>
<td><strong>Signature:</strong></td>
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