Guidance Notes

Applying to Transfer a Premises Licence

Introduction:

Under the regulations set out in the Licensing Act 2003, every Premises Licence lists the name and address of the individual(s) or organisation which holds that licence and has responsibility for the activities carried on in the premises. Ownership or control of the licensed premises typically changes when the premises are sold or leased from one person or company to another. When this happens, an application to transfer the licence must be made immediately to update the licence holder details before you can carry on activities.

Criteria:

A licence may be held by an individual (or individuals), a limited company, a partnership, unincorporated association or a similar organisation, a members club, a charity, the proprietor of an educational establishment or a person carrying out statutory functions.

Any individual who holds a Premises Licence must be over the age of 18 years, and have the legal right to work in the UK. Copies of official documents to demonstrate this will be required from every individual applicant (see below*).

If an individual, company, corporation or partnership wishes to hold a Premises Licence, they must be engaged in a business involving the use of the premises for licensable activities, or proposing to engage in such a business. A person without the legal right to occupy and utilise a premises may not hold a licence for that premises.

Transferring a Premises Licence with Immediate Effect:

If requested on the application form, the Transfer has immediate effect as soon as the application has been received and accepted by the Licensing Authority (Wiltshire Council) and copied to the Police and the Home Office.

Once the application has been accepted, the Police and the Home Office (Immigration Enforcement) have 14 days in which to object to the Transfer.

If no objection is received, your application will be granted and you’ll receive the amended Premises Licence in the post. If an objection is received we will be in contact with you.
Applying to Transfer a Premises Licence:

In order for a Premises Licence to be transferred, an application must be made to the Licensing Authority (Wiltshire Council) and the following must be submitted:

- **Premises Licence Transfer application form**
  Form to be completed by the incoming Licence Holder or by an agent/solicitor working on their behalf.

- **Consent of Premises Licence holder to Transfer**
  Form to be completed by the outgoing Licence Holder(s).

- **Premises Licence**
  Return the full licence, or relevant part thereof.

- **Documentation showing your right to live and work in the UK**
  Individual applicants and applications from partnerships which are not limited liability partnerships must now demonstrate that they have the right to work in the UK. Guidance Note 2 at the end of the Transfer application form details the documents which can be used. Applicants will need to provide copies or scanned copies of these documents (they do not need to be certified copies).

- **£23 application fee**
  Cheques made payable to Wiltshire Council.
  Card payments by calling 01249 706555.

Submitting your Application:

Applications to Transfer a Premises Licence can be submitted either by post or online. The completed application has to be served on Wiltshire Council’s Licensing Team and copied to Wiltshire Police and the Home Office (Immigration Enforcement).

Postal details are as follows:

**Licensing:**
Post the completed forms, premises licence, evidence of your right to live and work in the UK and a cheque (card payment by calling 01249 706555) to:

The Licensing Officer  
Wiltshire Council  
Public Protection Services and Licensing  
Monkton Park  
Chippenham  
Wiltshire  
SN15 1ER

Tel: 01249 706555  
Email: publicprotectionnorth@wiltshire.gov.uk
Police:
Post copies of the completed forms to the following address:

Wiltshire Police
Police Licensing Officer
Trowbridge Police
Polebarn Road
Trowbridge
Wiltshire
BA14 7EP
Email: LicensingE@wiltshire.pnn.police.uk

Home Office:
Post copies of the completed forms to the following address:

Alcohol Licensing Team
Lunar House
40 Wellesley Road
Croydon
CR9 2BY
Email: Alcohol@homeoffice.gsi.gov.uk

NOTE: In all cases it is recommended that you obtain proof of postage.

Online Applications:
You can submit a Transfer application online via the GOV.UK website. Once the forms have been completed and uploaded, the system will ask you to make a card payment.

The web page for making this application online can be found via the following link: https://www.gov.uk/apply-for-a-licence/premises-licence/wiltshire/change-3

If you apply via the online system we will copy the forms to the Police and the Home Office on your behalf.

Do you need to change the named Designated Premises Supervisor (DPS)?
If the Premises Licence allows the supply of alcohol, it will also be necessary to change the named Designated Premises Supervisor on the Premises Licence if the existing DPS has left. As the new Licence Holder you are legally responsible for making sure you have a Designated Premises Supervisor in place before alcohol sales can take place. Please contact us if you have any queries about this.

If you have any queries please contact us by calling 01249 706555 or emailing publicprotectionnorth@wiltshire.gov.uk

Further licensing information is available on the Council’s website www.wiltshire.gov.uk