



**LICENSING ACT 2003**

**GUIDANCE NOTES**

**PROVISIONAL STATEMENT**

## **Provisional Statement**

Where premises are being or are to be constructed for the purpose of being used for one or more "licensable activities", or are being or about to be extended, or otherwise altered for that purpose a person may apply for a **provisional statement**.

More information regarding "licensable activities" can be found in the Haringey Council's leaflets: ***Regulated Entertainment, Provision of Late Night Refreshments*** and ***Premise License***.

### **Who can apply for a provisional statement?**

Any individual or business proposing to carry on a business involving licensable activities on the premises who is aged at least 18. Recognised clubs, charities, a proprietor of educational establishments, health service bodies and a chief officer of Police may also apply for a provisional statement.

### **The Application Process**

An application for a provisional statement must be made to the licensing authority for the area in which the premises exist. To make an application the following must be submitted:

- A completed application form;
- An operating schedule;
- A plan of the premises / schedule of works;
- If alcohol is to be sold, the name of the Designated Premises Supervisor;
- The prescribed fee.

The applicant must also ensure that copies of the application are submitted to responsible authorities which are:

- The Police;
- The Fire Authority;
- Health and Safety or HSE;
- Environmental Protection;
- Social Services;
- The Haringey Planning Department.

The significance of the operating schedule is that if the application for the premises licence is granted, it will be incorporated into the licence itself and will set out the permitted activities and any limitations.

Operating Schedules MUST clearly satisfy the four licensing objectives set out in the Licensing Act 2003. For further details refer to Haringey Council's ***Statement of Licensing Policy***.

See list for contact details.

### **Advertising Applications**

Like a **premise license**, all applicants **must** publicise their applications to bring the matter to the attention of interested parties.

To publicise the application, the applicant must clearly display an A4 size Notice immediately on or outside the premises for a 28 day period during which time interested parties may make

representations. Also applicants are required to publish the same details in a local paper within 10 days of applying

The Notice should clearly display a brief summary of the application setting out matters such as the proposed licensable activities and the proposed hours of opening, together with information about where the details of the application may be viewed.

## **Fees**

The fee for making an application for an application for a provisional statement is £315. Following the issue of a provisional statement the applicant must apply for a **premise license**, thus other application and annual fees involving the Non-Domestic Rateable Value (NDRV) of the premise will apply

For more information, please see the Haringey Council's leaflet: ***Fee's Guidance***

## **Representations**

Like a **premise license**, a hearing on an application will only occur where objections or representations from interested parties or responsible authorities are received:

- Interested parties are businesses or residents in the vicinity of the premises and people representing businesses or residents;
- Responsible authorities are the Police, the Fire Authority, the Health & Safety Enforcement Agency, Environmental Protection, the Child Protection Committee, the relevant Planning Authority.

Where no objections or relevant representations are made by responsible authorities or interested parties, the licensing authority must grant the licence application subject only to the mandatory conditions, and the operating schedule.

If relevant representations are received, the licensing authority must hold a hearing and consider the representations. This may result in:

- The rejection of the application;
- The refusal to accept a Designated Premises Supervisor (if the licensable activities relate to the supply of alcohol);
- The attachment of conditions to the licence if this is necessary for the promotion of one or more of the licensing objectives.

Following the issue of a provisional statement, the applicant must then apply to the Licensing Authority for a **premises licence** upon the completion of the work. Under s32 of Act, where the new premises is substantially the same as premises described for the provisional statement, and the work has been satisfactorily completed, representations in respect of the application for the premises licence are excluded. However, representations may be made against the premises licence where there has been a material **change** in circumstances relating to the premises or to the area in the vicinity of those premises since the provisional statement was made, and where the relevant person making the representation had a reasonable excuse for failing to make a representation about the provisional licence.

For more information, please see the Haringey Council's leaflet: ***Variations, Representations and Appeals for Premises Licences & Club Premises Certificates and Premise Licences.***

## **Contacts**

### ***Licensing***

Licensing Team  
Civic Centre  
High Road  
Wood Green  
London  
N22 8LE  
Tel: 020 8489 5103  
Fax: 020 8489 5554

### ***Police***

Metropolitan Police Service  
Licensing  
Wood Green Police Station  
347 High Road  
Wood Green  
N.22 4HZ  
Tel: 0208 345 2005

### ***Fire Department***

LPEPA  
Edmonton Fire Station  
99 Church Street  
Edmonton  
London  
N9 9AA  
Tel: 020 8803 7530

### ***Planning***

Planning Enforcement  
Environmental Services  
639 High Road  
Tottenham  
London  
N17 8BD  
Tel: 020 8489 5508  
Fax: 020 8489 5220  
Email: [development.control@haringey.gov.uk](mailto:development.control@haringey.gov.uk)

### ***Health and Safety***

Commercial and Environmental Protection Group  
Civic Centre  
High Road  
Wood Green  
London  
N22 8LE  
Tel: 020 8489 5558  
Fax: 020 8489 5528

***Social Services Contact***

Insp. Chris Thorpe  
Metropolitan Police Service  
Licensing  
Wood Green Police Station  
347 High Road  
Wood Green  
N.22 4HZ  
Tel: 0208 345 2005