FACTSHEET

The role of the Designated Premises Supervisor

Purpose:

To summarise the role of the Designated Premises Supervisor under the Licensing

- A Designated Premises Supervisor (DPS) is an individual who holds a valid personal licence and is named on a premises licence which authorises the sale by retail of alcohol.

- All premises licences which authorise the sale of alcohol must, in accordance with the mandatory condition in section 19 of the Licensing Act 2003, have a DPS who holds a valid personal licence. The premises licence must specify the name, address and telephone number of the DPS. The premises licence summary must specify the name of the DPS. The premises licence summary is required to be displayed on the premises.

- Where a licensed premises has no DPS, or where the DPS does not hold a valid personal licence, the sale of alcohol is not permitted.

- Community premises licensed for the sale of alcohol can apply to the licensing authority to disapply the mandatory condition in section 19.

- The Licensing Act 2003 makes provision for the following:

    - the variation of a premises licence to change the DPS
    - request to be removed as the DPS on a premises licence

- The police can object to an individual being specified on a premises licence as DPS where they are satisfied that the exceptional circumstances of the case are such that granting the application would undermine the crime prevention objective.

    - Where the police object to the proposed DPS, the licensing authority must hold a hearing to determine the application (unless all parties agree a hearing is not necessary). When considering a police objection, the licensing authority may only consider the effect of the application on the crime prevention objective licensing objective, and may reject it if the authority considers this appropriate to promote the objective.

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- An option open to a licensing authority at a licence review is to remove the DPS if it considers that this is appropriate for the promotion of the licensing objectives.

- Other than the mandatory conditions and the provisions listed above, there is no *specific* reference in the Licensing Act 2003 itself to define the role of the DPS.

- The Statutory Guidance made under section 182 of the Licensing Act 2003 suggests the following:

    - The DPS is the key person who will usually be charged with day to day management of the premises by the premises licence holder.

    - The DPS will provide an essential point of contact for police, fire officers or licensing authority officers so that problems can be dealt with swiftly.

    - A premises licence may only specify one DPS, but an individual may be specified on more than one premises licence as DPS as long as they are able to ensure that the four licensing objectives are promoted and the management of the premises is in compliance with the Licensing Act 2003.

    - Anyone who wishes to cease being a DPS should give the relevant licensing authority a notice to that effect. If that person is also the premises licence holder, the licence, or the appropriate part of it, must accompany the notice. Otherwise, a copy of the notice must be given to the premises licence holder within 48 hours. The licence holder must then provide the licence or the appropriate part of it to the licensing authority within 14 days. The individual ceases to be the DPS on the date that the licensing authority has both the notice and the licence, or on a later date specified in the notice.

Disclaimer

Nothing in this factsheet can be considered as legal advice. Independent legal advice should be sought in the event of queries, and advice and information can also be obtained from the local licensing authority.