

What is a Designated Premises Supervisor (DPS)?

Where the supply of alcohol is one of the licensable activities there must be a DPS. (There is an exception is for community premises in respect of which a successful application has been made to disapply the usual mandatory conditions – see Guidance Document GD08A). There can only be one DPS and this person will generally be the individual who is in day-to-day control of the premises. The DPS must be appointed by the premises licence holder, must be the holder of a personal licence and must consent to the appointment. The premises licence holder may also be the DPS.

Does the DPS have to be on the premises at all times when alcohol is being sold?

No. However, it will be expected that the DPS will spend a significant amount of time on the premises. It is essential that the DPS is contactable at all times, particularly when problems arise on the premises.

Can anyone object to a person who is specified as a DPS?

Only the Chief Officer of Police will be able to make representations about the specification of any DPS if he feels, in the exceptional circumstances of the case, that the crime prevention objective could be undermined by that specification. This could include fears that the DPS would not be able to fulfil the responsibilities in respect of the crime prevention objective for more than one premises at the same time. Where the Chief Officer of Police makes representations about the DPS, the licensing authority must hold a hearing to consider them (unless all parties agree that this is unnecessary).

Can there be more than one DPS at the same premises?

The Act and Guidance specifies that there may only be one DPS for any premises.

What happens if the DPS leaves his employment?

The DPS must inform the relevant licensing authority if he or she wishes to be removed as DPS. Within 48 hours of the notice being given to the licensing authority, the individual must also give the premises licence holder a copy of the notice sent to the licensing authority and a notice directing the licence holder to send the premises licence to the relevant licensing authority. If that is not practicable, a statement of the reasons for the failure to provide the licence within 14 days of receiving the notice should be issued to the licensing authority. If the holder fails to comply with the direction he/she will commit an offence.

Can I be a DPS at more than one premises at the same time?

Yes. The only requirement for being a DPS is that the individual concerned must be the holder of a personal licence. This ensures that where the activities concern the supply of alcohol, there is a person who supervises the premises who has an understanding of the social issues, potential problems associated with the sale of alcohol and who is responsible for licensable activities at the premises.

How do you change the DPS?

A change of DPS is a variation of the premises licence and the application (form 12) must be sent to the licensing authority, together with the appropriate fee and the written consent of the proposed DPS. The application form must be copied by the applicant to the existing DPS and to the Chief Officer of Police who may, within 14 days, object to the proposed appointment.

If you have any further queries please telephone 01768 212148/212273, or email admin.licensing@eden.gov.uk or visit our website www.eden.gov.uk.