|  |  |
| --- | --- |
| *DPS address:* |  |
| *DPS postcode:* |  |
| *Date of letter:* |  |
|  | |
| Dear , | |
| **REMOVAL OF DESIGNATED PREMISES SUPERVISOR**  **DIRECTION TO RETURN PREMISES LICENCE TO LICENSING AUTHORITY** | |
| In accordance with section 41 of the Licensing Act 2003, I enclose a copy of a notice I have today given to Eastleigh Borough Council as Licensing Authority that I wish to be removed, with immediate effect *or* on *(insert date)*      ,  as the Designated Premises Supervisor for  of which you are the holder of the premises licence. | |
| As I do not have the premises licence, it is a requirement of section 41 of the Act that you, as premises licence holder, submit both parts A and B of the premises licence to the Licensing Team at the address below within 14 days of receipt of this notice. | |
| Please note that it is an offence to fail, without reasonable excuse, to comply with such a direction given under section 41(4)(b) of the Licensing Act 2003. | |
|  | |
| Yours faithfully, | |
| *DPS signature* | |
|  | |
|  | |
|  | |
|  | |
|  | |
| cc: | |
| * Licensing Team, Licensing Team, Southampton and Eastleigh Licensing Partnership, PO Box 1767, Southampton SO18 9LA | |
| * Force Licensing Team, Hampshire Constabulary, Southampton Police Office, Civic Centre, Southampton SO14 7LY | |
|  | |
| *PLH address:* |  |
| *PLH postcode:* |  |
|  | |

**Licensing Act 2003, Section 41**

41 Request to be removed as designated premises supervisor

(1) Where an individual wishes to cease being the designated premises supervisor in respect of a premises licence, he may give the relevant licensing authority a notice to that effect.

(2) Subsection (1) is subject to regulations under section 54 (form etc of notices etc).

(3) Where the individual is the holder of the premises licence, the notice under subsection (1) must also be accompanied by the premises licence (or the appropriate part of the licence) or, if that is not practicable, by a statement of the reasons for the failure to provide the licence (or part).

(4) In any other case, the individual must no later than 48 hours after giving the notice under subsection (1) give the holder of the premises licence-

(a) a copy of that notice, and

(b) a notice directing the holder to send to the relevant licensing authority within 14 days of receiving the notice-

(i) the premises licence (or the appropriate part of the licence), or

(ii) if that is not practicable, a statement of the reasons for the failure to provide the licence (or part).

(5) A person commits an offence if he fails, without reasonable excuse, to comply with a direction given to him under subsection (4)(b).

(6) A person guilty of an offence under subsection (5) is liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(7) Where an individual-

(a) gives the relevant licensing authority a notice in accordance with this section, and

(b) satisfies the requirements of subsection (3) or (4),

he is to be treated for the purposes of this Act as if, from the relevant time, he were not the designated premises supervisor.

(8) For this purpose ‘the relevant time’ means-

(a) the time the notice under subsection (1) is received by the relevant licensing authority, or

(b) if later, the time specified in the notice.