



Licensing Services

A flexible package of licensing services including insurance and training

About AfterHours

AfterHours is part of the Napthens Group, which is a leading provider of commercial legal services in the north west, acting for clients locally, regionally and nationally from offices located across the region including Preston, Blackburn and the Fylde coast in Lancashire, Kendal in Cumbria and Southport and Liverpool in Merseyside.

Our lawyers are professional, yet approachable – and ready to listen. We focus on understanding your needs, to provide the best possible levels of service, through clear communication, clarity on price and practical, relevant advice.

With around 310 staff, including 29 partners, our strength in depth across a range of disciplines, ensures our clients receive the personalised, tailored service they need from true specialists in their field.



Your alcohol licensing and compliance experts

AfterHours means the Napthens Group is one of the few law firms in the country to have a specialised licensing department that has been working with the Licensing Act 2003 from the very start. We act for a wide variety of leisure operators from large corporations to single site operators.

Whether you're running a pub, club, restaurant, hotel, or off licence, we can help you get the licences or qualifications you need and, if necessary, appeal decisions and fight enforcement action on your behalf.

Our track record is excellent in these matters because we have people with more than 25 years' experience in licensing.

We are true specialists in the licensing and leisure sector and bring added value to our clients with a common sense, sound commercial approach to the advice which we give.

"Having worked with the licensed trade for over 25 years, I have a deep understanding of the problems and issues businesses face day-to-day. My philosophy has always been to ensure business owners are treated with fairness by authorities and to provide a personal service with dedication to the client at its heart."

Gill Sherratt, Head of Licensing

 Institute of Licensing



Our fixed fee retainer service

AfterHours is a unique licensing service for our clients that enables them to operate their businesses with complete peace of mind, knowing that the licensing side of their business is overseen & protected.

It takes away the administrative burden from the operator, provides certainty on cost and ensures that any requirements or issues are dealt with the maximum of efficiency.

The fixed cost retainer brings with it insurance, to cover any difficulties faced by our clients connected with their premises licence and provides complete peace of mind should the worst happen.

Our service is provided by experts, on hand to advise out of 'normal' office hours with fast, clear and practical advice.

The service includes:

- Insurance to cover your business in the event of enforcement action
- Audits of all premises licences held by our clients
- Direct access to expert telephone advice for you, your managers and business development managers
- Access to due diligence documentation including risk assessments and Challenge 25 posters
- A range of minor applications such as transfers, change of DPS & Gaming Machine Notifications
- Retention of original Premises Licences and provision of certified copies to sites
- Instant access to the licensing portal with the ability to view your premises licence at any time



Insurance

Exclusive to AfterHours - legal expenses cover

We understand the devastating impact of enforcement action on any licensed business - we understand the potential impact to a business in terms of financial losses and damage to reputation and the cost of preserving a licence.

With this in mind, and to give our clients additional peace of mind, the AfterHours fixed fee retainer service includes insurance cover providing indemnity against the cost of licence hearings and appeals of up to £100,000 per claim in a 12-month period. This is the only service of its kind in the UK.

The unique nature of this cover is the point at which it becomes active. Most insurance policies deal with only the worst case scenarios; in licensing terms that would be when a review of a licence has been applied for, or an appeal needs to be submitted. **AfterHours' bespoke insurance product means our clients don't have to wait for worst case scenario.**

This insurance cover starts as soon as any type of enforcement action, that presents any risk to a business' licence, takes place. That means interviews, meetings to discuss problems at the premises, and working to resolve the issues, so that we can prevent the worst-case scenario happening.

Then, if required, the cover also pays the legal or professional fees such as representation in meetings or Counsel's advice or representation in a review or appeal.

Note: The insurance will not cover appeals connected to a change in the law or regulation; costs of complying with a notice or order; driving or property licences, or where you have failed to comply with recommendations or warnings from your regulator.



Licensing Training

AfterHours encourages and supports our clients to ensure that all relevant staff are trained in the appropriate qualification to ensure their licensing knowledge is up to date. It helps operators keep their business safe from issues arising from non-compliance with the Licensing Act 2003.

We support our clients by providing all the relevant licensing qualifications and training.*

- The Level 2 Award for Personal Licence Holders
- The Level 3 Award for Designated Premises Supervisors
- The Level 2 Scottish Certificate for Personal Licence Holders
- General staff training online that is fully interactive



***All training is delivered by our training partner Licensing Matters, one of the UK's leading licensing consultancies.**



Tiers

	Tier 1	Tier 2	Tier 3
<p>An initial compliance audit of the premises licence takes place to ensure compliance. Any challenging elements of the licence will be made known to the client and recommendations will be made to address them.</p> <p>The compliance audit will be signed off and certificate issued (which is a requirement of the insurance cover).</p>	✓	✓	✓
<p>Due diligence forms provided – To assist with due diligence generally but also compliance with licence conditions. These will include (but not limited to) - refusals register, authorisation to sell alcohol, Challenge 25 posters etc.</p>	✓	✓	✓
<p>Retention of original licence & unlimited certified copies issued to the client.</p>	✓	✓	✓
<p>Member access to licensing portal.</p>	✓	✓	✓
<p>Insurance - Indemnity against any type of action against the premises licence. The client is covered from the point of the first notification of the issue and then includes any authority meetings, interviews & required actions thereafter, review of the premises licence or appeal, up to £100,000 per claim. Priced on a 'per site' fee premium per annum.</p>	✓	✓	✓
<p>Legal advice – Over the phone, up to 1 hour per month.</p>		✓	✓
<p>Minor licensing applications – Agreed number of applications to be included (to include Transfers, vary DPS, TEN's, gaming machine permit, payment of annual fee) to an agreed maximum per year.</p>		✓	✓
<p>Annual licence audit on all licences held by client followed by in person review meeting.</p>			✓
<p>Unlimited legal advice - Over the phone.</p>			✓
<p>Major applications - Free CIZ checks and pre-consultation with authorities on all full applications (new licence and full variations) to assess likelihood of success or to assist with decisions whether to purchase property.</p>			✓
<p>Accredited Training – Agreed number of Level 2 Award for Personal Licence Holders courses per year.</p>			✓
<p>Maintenance of a licensing & DPS database - For clients with more than ten premises, the database will be maintained & sent to relevant people (for example the business owner and area managers) on an agreed timescale.</p>			✓

Fees for the retainer service

Initially there is an element of estimation involved in determining how much work will be involved in the provision of the retainer service. Our initial proposal, including insurance cover will be supplied when we have a full understanding of your business needs.

Having provided the service to a client for 12 months, we will then review time incurred to ensure the retainer fee is set at the right level for you. A guide to our fees is below:

Discounted and capped fees for non-retainer services

Clients that receive the retainer service will also benefit from a discount on applications and capped fees on our usual hourly rates.

Discounted fees on applications

The standard fees for our applications are:	Cost
Application for a new premises licence or full variation	£850
Application for a minor variation	£450
Applications to transfer a premises licence	£150
Vary DPS on premises licence	£150
Gaming Machine Notification	£50

Additional work
The above fees do not include work which may be necessary if objections are received to an application resulting in mediation or attendance at a hearing before a Licensing Committee. Additional work of such a nature incurs additional fees which are dealt with on a capped basis:

Mediation	Capped at £950
Preparation for / attendance at hearing	Capped at £1,850

Note: The above fees do not include VAT or disbursements, which are payable in addition, and sometimes on account.

Discounted fees on hourly rates

Fees for acting on your behalf in relation to other elements of the application process such as mediation with the authorities or representation in meeting or hearings are calculated according to hourly rates. But, as a retainer client, even if the amount of time spent on your matter exceeds the cap, you will pay no more than the agreed rate. Current agreed hourly rates are:

Our team	£ Hourly rate
Partners	£250
Gill Sherratt, Licensing Consultant	£200
Associate Solicitor	£190
Licensing Executive	£135

AfterHours Insurance - How our clients would have benefited

Case Study 1

Type of business – Independent convenience store.

Issue – Following two failed test purchases at the store, police and Trading Standards applied to review the premises licence.

Result without insurance – Revocation of their premises licence. Our client, facing business closure due to loss of revenue, approached AfterHours to appeal the decision to the magistrates court.

Costs without insurance – **£8,000-£16,000**, depending on the outcome of the appeal and costs attribution.

Result had AfterHours support and insurance been in place – Action could have been taken immediately on receipt of the review application. AfterHours would have worked with our client to investigate the failings and work with them to improve the licensing practices in place, including staff training. A compromise offer would have been made to the council to avoid the review.

Although a certain outcome is never guaranteed, AfterHours would have worked towards updated conditions being applied to the licence.

Costs with AfterHours support & insurance in place – **£50 a month.**

Case study 2

Type of business – Medium multi-site tenanted pub company, which names tenants as Designated Premises Supervisor (DPS) on premises licence. Pub company is the premises licence holder so can be held liable for incidents at its pubs.

Issue – The tenant of one pub was involved in a violent incident which resulted in a customer receiving serious injuries and the police launching two investigations. One into potential criminal charges (assault) against the tenant and another to determine if any action was required against the premises licence.

Result without insurance – The tenant did not advise the pub company about the incident and was interviewed by the police without their knowledge. Once informed, the pub company area manager attended a police meeting where the police requested that they apply very restrictive conditions to the licence and the police also demanded that the pub hours be reduced.

Costs without insurance – **Unknown but considerable** due to loss of income from a permanent loss of one hour of trade every evening.

Result had AfterHours support and insurance been in place – Had AfterHours support and insurance had been in place, action could have been taken immediately with the tenant being removed as the DPS, an application that would have been included as part of the retainer. The insurance would then have provided full protection from any associated legal costs to handle the police requests.

Afterhours would have worked towards avoiding the request for a reduction in hours and early closure of the premises.

Costs with AfterHours support & insurance in place – **£300 a month** (across the estate).

Our other services for the leisure sector

AfterHours provides clients with access to a designated team with specialist knowledge, gained over many years, of the leisure industry, and an understanding of the intricacies and ongoing challenges faced by businesses in the sector.

This experience means we can provide tailored, efficient, proactive and commercially focused advice to our clients, as they benefit from our extensive contacts and innovative knowhow within the industry.

Specialist legal services

- Licensing
- IP and trade-marks
- Employment & HR
- Commercial contracts & T&Cs
- Corporate structure & funding
- Commercial property & refinancing for expansion & development
- Dispute resolution & litigation
- Private client services including estate planning and wealth management

We act for

- Pub companies
- Restaurant groups
- Breweries (from micro to regional)
- Hotels & hotel groups
- Caravan & holiday parks
- Visitor attractions
- Sports & leisure clubs
- Stadia
- Suppliers to leisure industry
- SIBA (largest UK brewery trade body)
- Convenience store owners

15

Strong specialist legal team

300+

Leisure sector operator clients

1,200

Leisure sector matters concluded (in last 3 years)

£250m

Value of property deals 2021

£600m

Value of corporate deals 2021





Your key contacts



Gill Sherratt
Consultant, Head of Licensing

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Gill heads up the AfterHours licensing team. She has worked as a licensing adviser since the inception of the Licensing Act 2003 and since then been involved in every element of the licensing process. She deals with every type of licensing application including new licences and variations and handles enforcement, mediation and negotiation. She has extensive experience with more than 18 years of appearing before licensing committees and in 2017 Gill was requested to give evidence on behalf of the trade to the House of Lords Select Committee during their review of the Licensing Act.

Prior to 2005, Gill spent five years working as a police licensing officer, so she understands how enforcement works and how to work in partnership with all authorities. That experience is invaluable when working on challenging cases, in particular where there have been problems at venues and improvements are needed.

Gill has a wealth of experience acting for all types of businesses across the hospitality and leisure sector including pubs, clubs, restaurants, hotels, shops, forecourts and breweries.

In 2016 Gill was awarded the Special Services to the Industry award from the National Federation of Retail Newsagents (NFRN) Gill is a member of The Institute of Licensing, The British Institute of Innkeeping and has been an accredited trainer for all types of licensing qualifications for over 16 years.



Suzanne Marchese
Licensing Executive

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Suzanne is responsible for issuing applications under the Licensing Act 2003. She works closely with Gill to assist in the smooth running of AfterHours.

Suzanne has specialised in licensing matters for many years, joining Roscoes (which later merged with Napthens) in 2003. Prior to this, she worked at East Lancashire Magistrates' Court for 11 years, dealing with licensing matters under the Licensing Act 1964.

On joining Napthens Suzanne played a major role in dealing with clients' applications prior to the implementation of the Licensing Act 2003 and is now a key part of AfterHours.

Suzanne is a holder of the BIIAB Level 2 National Certificate for Personal Licence Holders.



Jamie Allison
Partner, Head of Real Estate

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Jamie is Head of Cumbria and of Napthens' Real Estate group, and leads the AfterHours team. In these roles he is responsible for the development and implementation of Napthens' Cumbrian strategic plan and manages the commercial property, rural and leisure & licensing departments, including AfterHours. Jamie is also a member of Napthens' Executive Board.

A highly experienced lawyer, Jamie has acted for many clients in the construction, commercial and residential property investment, telecoms and manufacturing sectors and has particular expertise within the licensed and brewing community (including relationship partner for the Society of Independent Brewers) and the wider leisure and hospitality sector.

Recommended in the 2023 'Legal 500', Jamie has strong relationships with corporate finance advisers, banks, fund managers and various private equity houses. He has a high profile within the regional business community and is committed to ensuring business stays in this part of the country for the benefit of the whole community.

Jamie is on the Board of Cumbria Tourism, Kendal Futures CIC and he is a non-Executive Director of community investment fund, Enterprise Answers. He is also on the board of Napthens charity foundation.



David Hill
Partner, Commercial Property

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David Hill heads up Napthens' East Lancashire commercial property team based in Blackburn, combining this with his support role with AfterHours. He handles a wide variety of property matters ranging from buying and selling unincorporated bank financed businesses, handling commercial and residential development sites, through to landlord and tenant issues.

Acting for a broad mix of clients from large corporates including a large plc brewery through to individual investors, David has particular expertise in landlord and tenant issues and specialises in advising clients in the leisure industry and construction industry sectors.

He currently acts for Daniel Thwaites plc, SIBA, English Lakes Hotels, Titanic Group and many other licensed operators.

Working together

DANIEL
THWAITES
ESTABLISHED 1807

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SEVEN
BROTHERS
BREWING CO.



English Lakes
Hotels Resorts & Venues



Our clients

“At Robinsons’ Brewery we operate over 250 licensed premises and before being introduced to Napthens’ licensing package we had always dealt with our change-overs internally. We had never perceived it as an issue, but the service was recommended, so we tried it and have not looked back since. It is fast, efficient, extremely good value and frees up time internally that can be better-spent elsewhere. I would not hesitate to recommend the service to any multi-site operator.”

**David Harrison, Operations Director,
Frederic Robinson Limited**

“I genuinely feel that Napthens has a passion for our business and will go the extra mile to guarantee complete customer satisfaction. They have dedicated specialists in each area and a very wide range of services that you would not ordinarily find outside the ‘city firms’ and yet they are not cost prohibitive. On the contrary, we have found their price structure to be transparent, very reasonable, and exceptional value. I can honestly say that I would recommend Napthens unreservedly, particularly for those who operate in our sector.”

**Keith Bott, Managing Director,
Titanic Brewery**

“Napthens ‘gets our sector’. Advice is always current, concise and - in my experience - correct. Overall the service they offer is what you would expect from a highly regarded and professional legal services business. They are extremely responsive and, compared to other businesses, add value at good value.”

**Andrew Buchanan, Director of Pubs &
Brewing, Daniel Thwaites Plc**



