

2014

Low THC Cannabis (Industrial Hemp) Cultivation- Domestic Licensing

Application Guidance

This guidance has been issued to guide growers through the hemp cultivation drug licensing application process.



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Home Office Controlled Drug Licence and Registrations - An Overview of the Industrial Hemp Application Process

Applications must be made online using the designated application portal (<https://www.gov.uk/controlled-drugs-licences-fees-and-returns#applying-for-a-licence-companies>). We do not accept hard-copy applications or submission of documents by email in lieu of an application by the designated portal.

How do I register for your drug licensing system?

You must first register as a user of the system, choosing your own username. Your password will be emailed separately to you. Home Office staff do not have access to these; if you lose or forget your password, you must request another. Please do not register more than once. It will slow the application process down.

Contact us if- having checked your spam- you have not received a response to your registration request within 5 working days, having all emails and registration numbers to hand. If your registration is rejected, you will be informed by email and given a reason for this.

What happens if my business changes its name?

If you are changing your company name, contact us to discuss how to make your application. Please do not re-register as a system user unless you are a new legal entity.

How do I apply for a licence?

Log into the application portal and select the correct form; either:

- Controlled Drug licence application;
- Precursor Chemical Licence/ registration application; or
- **Industrial Hemp (low THC Cannabis) cultivation licence.**

There are typically seven 'stages' to the industrial hemp application form; you must fully complete these, and the application declaration, before submitting the form using the 'submit' button. If you do not receive an email acknowledgement for your application (please check your spam mailbox), or do not press 'submit', you have not made a valid application.

Application forms can be saved in draft for up to five days. Please note that you do not receive a warning when that time is nearly up, so please ensure you submit the form to avoid the need to rekey your details. We cannot view forms in 'draft', only once you have submitted them.

What is the 'amendment' form?

The amendment form is one you can use to make changes to an existing application you have lodged with us but which has not been decided- for example, if you realise you have given incorrect growing location/ field reference or seed details.

Completing the amendment form is not an application in its own right. Nor can it be used to amend a licence which has already been issued or to apply for a further licence before the expiry of an existing one.

What information do I need to make the application?

You need to have to hand the following information:

- Person (Grower) Details (names, business addresses, contact details, position)- of the people to be included on a licence- for example person in charge, authorised witness, person responsible for security, regulatory compliance etc.
- Farm Business/ Company or Organisation Details- what you do, type of business, funding sources (profit/ charity etc), (company/ charity) registration details e.g. Companies House certificates, other relevant licence details- e.g. Firearms licences/ Shot Gun Certificates. Please note: if a registration or certificate is open-ended, you may still need to insert a future date in the box to proceed.
- Licences requested- what you are asking for, in terms of activities (cultivate/ possess low THC cannabis (industrial hemp)), and the reason you wish to hold licences- we need to understand why you are applying and be confident you are asking for appropriate licences.
- Disclosure and Barring Service (DBS)- formerly Criminal Records Bureau (CRB)- check details- We require an enhanced DBS/ CRB check, obtained within this last three years through CAPITA, *for drug licensing purposes*, naming DCLU (Home Office Drug Licensing) as the interested party. Details of the check- disclosure certificate, date, name the check is conducted in- must be provided for each person named on the application. If you have applied but not yet received the disclosure, input the application reference details. See details on the 'update' service below. We are aware that planting times are important and may exceptionally consider processing your application before the result of your check is received but, it must have been lodged.
- Premises details- be able to describe your premises, and any physical security arrangements and details of the cultivation location- field references, size etc.
- Record Keeping and audit- what records, hard copy, electronic etc.
- Supplier/ customer details- where you are getting the seed from, and to whom you are intending to supply the products of cultivation (industrial end use).

- Seed details and end use- what seed type and what industrial end use you have for the product.
- Documents- for example maps or photos of growing location, copy of seed invoices, confirmation of your onward supply chain- you can upload these to your application via the portal and should provide any relevant at the outset. There is a 7MB size limit.
- Fee Payment details- who we send the invoice to, their contact details and any Purchase Order number you need us to quote.

You must be aware that we hold all information securely and do not routinely share with third parties (except for the prevention of the diversion of drugs) but are bound by Freedom of Information principles.

What about the DBS 'update' service?

DBS checks are NOT portable, unless you have subscribed to the recently launched 'update' service.

Information about this service should be dispatched with your disclosure certificate. You have a limited window to 'opt in' and there is a fee for this service. If you are part of a large organisation and may not see the letter directly, ask your employer.

Please note Drug Licensing do not handle the physical checks or any documents associated with your DBS application. If you have subscribed to the update service please note this in your application- we will contact you for specific written (email) permission to verify/ check your details.

What happens after the form is submitted?

You should receive an email acknowledgement confirming submission within 48 hours. If not, check your spam and contact us with the 'code' shown on submission of your form.

If your application has been submitted, the following steps will occur:

> Validation-

We will firstly check your form and ensure it has been validly submitted. We can reject improperly completed forms- please complete the form fully and with accurate information.

> Triage-

We will carry out an initial appraisal of your application and decide which 'track' it will follow- i.e. whether we need to visit your premises or whether we can consider your application on paper. At this stage it will be assigned to a caseworker (paper considerations) or Compliance Officer (visits).

> Visits- as required

We do not envisage routinely needing to visit growers but will inform you if we consider this necessary and tell you why.

> Further information- as required

If you are asked to submit further information, or confirm details, we will ordinarily give you a set timescale for this to be done. This may be done at a compliance visit, and/or by email if we are not visiting you.

> Consideration and decision making-

We will make a full and balanced decision on your application for a licence; we are mindful of cultivation times and will try wherever possible to meet these. All recommendations will be subject to approval by a senior officer.

> Fees payment-

Assuming your application is successful, you will be issued by email an invoice for immediate payment. We will not issue a licence until we receive full payment and you will not be able to lawfully operate without a licence being issued.

Withdrawal of applications on account of failure to comply-

Occasionally, we will withdraw an application where requested actions have not been undertaken in a reasonable or specified time. We will always contact you in writing (typically e-mail) setting out a timescale for an action to be taken, where we are intending to withdraw your application, so you have the chance to act.

It is your responsibility to progress DBS checks in a timely fashion- for example by taking identification documentation to the Post Office- failure to progress with your checks may mean your application is withdrawn by us. Failure to progress DBS checks is the most common reason for an application being withdrawn by us. Applications cannot be re-instated.

Do you have any top tips for licensees or prospective licensees?

- If you are a new/ prospective licensee, remember to complete both the registration and application processes outlined above. If you do not, we will not have an application to consider.
- Read the guidance on our website, especially information about fees and the Hemp Grower notes.
- Apply early. We will work to sowing times wherever possible but need a reasonable period of time to consider application. Seed should not be sown before a licence is granted.

- Apply for 'routine' renewals at least 4-6 weeks before the expiry of your licence. If you do not apply before your licence expires, you may not be able to continue to cultivate.
- Provide us with as much information as you can at the outset, and use the facility to upload documents through the licensing form.
- Settle your invoices promptly- we will not issue a licence until we have received full payment of the licence fee.

What if I need more help?

If this document, or the other resources on our website do not fully answer your question, please ring 020 7035 8972. The Duty Compliance Officer is available weekdays on this number between 10am and 4pm.

If you know to whom your case has been assigned, please contact the Compliance Officer or Caseworker directly.