



Varying a Club Premises Certificate

Full variation – Licensing Act 2003

A members club which holds a Club Premises Certificate may apply to vary some aspect(s) of it, such as:

- Adding new qualifying club activities to the scope of the certificate;
- Amending the permitted times for existing activities or opening hours;
- Adding new conditions, or amending or removing conditions from the current certificate;
- Amending the authorised layout of the premises, prior to structural alterations.

Variations may not be used to extend a time-limited certificate, nor to substantially change the nature of the club premises. In these situations, a new grant application would be expected.

Certain smaller changes which will not impact upon the promotion of the licensing objectives may be made using a minor variation application, which can be faster, simpler and more economical. Please see the separate application form for details and restrictions of this process.

Making an application to vary a certificate

Firstly, read the attached guidance notes, which give information on how to fill out the application form.

Send the completed form, with payment for the relevant application fee, to:

Licensing
Dacorum Borough Council
The Forum
Marlowes
Hemel Hempstead
HP1 1DN

Your application must be accompanied by:

- A scale plan of the premises (if the current layout is to be varied);
- Payment of the application fee (see guidance notes for amount);
- The original club premises certificate (please keep a photocopy)

Copies of the application and accompanying documents must also be sent to each of the Responsible Authorities (whose addresses are given on the next page of this pack).

What happens next?

Once your application has been received, representations may be made within the next 28 days, either supporting or opposing your application, by the Responsible Authorities and any local residents and businesses or other people who may be affected by your proposals. You will have to advertise your application, by displaying a notice at your premises, and by placing a public notice in a local newspaper.

If any representations are received during the 28-day period, then the application will be referred to a hearing of the Licensing Sub-Committee to be determined. The applicant and anyone else who has made representation will be invited to the hearing to make their case. If no representations are received, the application will usually be determined by a Licensing Officer, shortly after the end of the 28-day period.

Did you know?

You can make club premises certificate applications **online**, and doing so removes the requirement for you to send extra copies of your form to the responsible authorities (we will forward all online applications to them).

Visit our website, www.dacorum.gov.uk/licensing, and follow the 'Apply online' links.

Contact us

For further information or assistance in making an application, please contact us:

Email: licensing@dacorum.gov.uk

Phone: **01442 228000** (ask for Licensing)



Revised April 2017

Application to vary a club premises certificate to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

(Insert name of club)

club applies to vary a club premises certificate under section 84 of the Licensing Act 2003 for the premises described in Part 1 below.

Club premises certificate number	
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Part 1 – Club Premises Details

Name of club			
Postal address of premises or, if none, ordnance survey map reference or description			
Post town		Post code	
Telephone number (if any)			
Email address (optional)			

Name of person performing duties of a secretary to the club			
Address of person performing duties of a secretary to the club			
Post town		Post code	
Daytime contact telephone number (if any)			
Email address (optional)			

Part 2 – Applicant Details

Daytime contact telephone number <i>(if any)</i>			
Email address <i>(optional)</i>			
Current postal address if different from premises address			
Post town		Post code	

Part 3 – Variation

Please tick ✓

Do you want the proposed variation to have effect as soon as possible? Yes No

If not, from what date do you want the variation to take effect?

Day		Month		Year	

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? *(Please see guidance note 1)* Yes No

Please describe briefly the nature of the proposed variation <i>(Please see guidance note 2)</i>

If the club's proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend:

Part 4 – Club Operating Schedule

Please complete those parts of the Club Operating Schedule which would be subject to change if this application to vary is successful.

What qualifying club activities do you intend to conduct on the club premises which will be affected by your application?

Please tick ✓ as appropriate

Provision of regulated entertainment (please read guidance note 4)

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club (if ticking yes, fill in box I)

The sale by retail of alcohol by or on behalf of a club to a guest of a member of the club for consumption on the premises where the sale takes place (if ticking yes, fill in box I)

In all cases complete boxes K, L and M

A

Plays Standard days and timings <i>(please read guidance note 8)</i>			Will the performance of a play take place indoors or outdoors or both – please tick ✓ <i>(please read guidance note 4)</i>	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here <i>(please read guidance note 5)</i>		
Tue					
Wed			State any seasonal variations for performing plays <i>(please read guidance note 6)</i>		
Thur					
Fri			Non standard timings. Where the club intends to use the premises for the performance of plays at different times to those listed in the column on the left, please list <i>(please read guidance note 7)</i>		
Sat					
Sun					

B

Films Standard days and timings <i>(please read guidance note 8)</i>			Will the exhibition of films take place indoors or outdoors or both – please tick ✓ <i>(please read guidance note 4)</i>	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here <i>(please read guidance note 5)</i>		
Tue					
Wed			State any seasonal variations for the exhibition of films <i>(please read guidance note 6)</i>		
Thur					
Fri			Non standard timings. Where the club intends to use the premises for the exhibition of films at different times to those listed in the column on the left, please list <i>(please read guidance note 7)</i>		
Sat					
Sun					

C

Indoor sporting events Standard days and timings <i>(please read guidance note 8)</i>			Please give further details <i>(please read guidance note 5)</i>
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events <i>(please read guidance note 6)</i>
Tue			
Wed			Non standard timings. Where the club intends to use the premises for indoor sporting events at different times to those listed in the column on the left, please list <i>(please read guidance note 7)</i>
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings <i>(please read guidance note 8)</i>			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick ✓ <i>(please read guidance note 4)</i>	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here <i>(please read guidance note 5)</i>		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment <i>(please read guidance note 6)</i>		
Thur					
Fri			Non standard timings. Where the club intends to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list <i>(please read guidance note 7)</i>		
Sat					
Sun					

E

Live music Standard days and timings <i>(please read guidance note 8)</i>			Will the performance of live music take place indoors or outdoors or both – please tick ✓ <i>(please read guidance note 4)</i>	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here <i>(please read guidance note 5)</i>		
Tue					
Wed			State any seasonal variations for the performance of live music <i>(please read guidance note 6)</i>		
Thur					
Fri			Non standard timings. Where the club intends to use the premises for the performance of live music at different times to those listed in the column on the left, please list <i>(please read guidance note 7)</i>		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick ✓ (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where the club intends to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick ✓ (please read guidance note 4)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where the club intends to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

H

Anything of a similar description to that falling within e, f or g Standard days and timings <i>(please read guidance note 8)</i>			Please give a description of the type of entertainment the club will be providing	
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick ✓ <i>(please read guidance note 4)</i>	Indoors <input type="checkbox"/>
Mon				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
Tue			Please give further details here <i>(please read guidance note 5)</i>	
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) <i>(please read guidance note 6)</i>	
Thur				
Fri				
Sat			Non standard timings. Where the club intends to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list <i>(please read guidance note 7)</i>	
Sun				

Supply of alcohol Standard days and timings <i>(please read guidance note 8)</i>			Will the supply of alcohol be for consumption: (Please tick box ✓) <i>(please read guidance note 9)</i>	On the premises	<input type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon			State any seasonal variations for the supply of alcohol <i>(please read guidance note 6)</i> Non standard timings. Where the club intends to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list <i>(please read guidance note 7)</i>	Both	<input type="checkbox"/>
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

J

Hours club premises are open to the members and guests Standard days and timings <i>(please read guidance note 8)</i>			State any seasonal variations <i>(please read guidance note 6)</i>
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children <i>(please read guidance note 10)</i>

L

Please identify those conditions currently imposed on the certificate which you believe could be removed as a consequence of the proposed variation you are seeking

Please tick ✓ as appropriate

I have enclosed the club premises certificate

I have enclosed the relevant part of the club premises certificate

If you have not ticked one of these boxes please fill in reasons for not including the certificate, or part of it, below

Reasons why the club has failed to enclose the club premises certificate or relevant part of it

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 11)

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Checklist:

Please tick ✓ to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities
- I understand that I must now advertise my application
- I have enclosed the club premises certificate or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

Part 5 – Signatures *(please read guidance note 12)*

I
(Insert full name)

make this application on behalf of the club and have authority to bind the club.

Signature	
Date	
Capacity	

Address for correspondence associated with this application <i>(please read guidance note 13)</i>			
Post town		Postcode	
Telephone number <i>(if any)</i>			
If you would prefer us to correspond with you by email your email address <i>(optional)</i>			

Notes for Guidance

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.
2. Describe the premises: for example the type of premises it is, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. Please state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16:00).
 9. If the club wishes members and their guests to be able to consume alcohol on the premises, please tick 'on the premises'. If the club wishes people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If the club wishes people to be able to do both, please tick 'both'.
 10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, gambling machines, etc.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed by someone with the authority to bind the club.
 13. This is the address which we will use to correspond with the club about this application.



Guidance for Applicants: Varying a Club Premises Certificate

This guidance relates to the application form for a variation of a Club Premises Certificate under the Licensing Act 2003 (“the Act”). Alternate forms are available for other types of application, and for clubs who hold and wish to vary a Premises Licence.

Applications for Club Premises Certificates must be made to the local licensing authority within whose area the premises is situated – this will be Dacorum Borough Council for all premises situated within Dacorum. Application forms can be obtained from Dacorum Licensing, or via our website at www.dacorum.gov.uk/licensing

Please note that Club Premises Certificates can only authorise entertainment and alcohol supplies to club members’ and their guests. If you were intending to use this application to authorise events for members of the public, you will instead need to apply for a new Premises Licence.

NEED MORE HELP?

This guidance is intended to help applicants complete the application form. Dacorum’s Licensing Section may be able to help you with any further queries in respect of making an application. You may also wish to consider engaging professional assistance, such as a legal advisor or licensing agent, or contacting other relevant organisations such as a club association.

FULL OR MINOR VARIATION?

Two separate application processes exist for making changes to the certificate, known as full variations and minor variations. The nature of the variation you are proposing will determine the type of application you will need to make.

Minor variations can be used to make small changes that will not have an adverse effect on the licensing objectives, and excluding the addition of alcohol sales or the extension of alcohol sales times. If you believe that a minor variation may be more appropriate, please contact us for further details.

COMPLETING THE FORM

In the opening statement, you should insert the name of the club that holds the certificate: e.g. ‘Example Social Club’. You should also give the number of the existing certificate, which is listed on the first page of the certificate document.

PART 1 – Club Premises Details

This section asks for the name, address and some other details of the club’s premises. Please include as much of the postal address as possible, as listed on the current certificate.

If the variation would result in a change to the address (for example, extension into a neighbouring unit), please give the new address by which the premises will be referred to if the application is successful.

This section also asks for the name, address and some other details of the person performing duties of a secretary to the club.

PART 2 – Applicant Details

This section asks you to provide the contact details of the club. If the club has more than one address, then the head office address (or registered address in the case of registered societies) should be entered in this space.

PART 3 – Variation

You should state the date you would like the variation to take effect. Please bear in mind that your application will take **at least 28 days** to process (longer if objections are received), and this should be reflected in the date you enter. Alternatively, if you wish the variation to take effect as soon as the application has been determined, you should tick the appropriate box.

Late night levy

A late night levy is an additional annual fee payable by premises licensed to trade after a certain time. If such a levy is introduced, affected premises may apply free of charge to reduce their licensed hours, so as not to be liable for the fee. Dacorum has not adopted such a levy at this time.

Brief description of the proposed variation

You are asked to provide a brief summary of the variation application. You should outline the matters that you are seeking to change, for instance listing any extra activities you are applying for, identifying conditions you are seeking to amend, or describing any structural alterations that have been made to the club premises.

5,000 or more people attending *(leave this box blank if less than 5,000 people are expected to attend)*

If the nature of your variation means that 5,000 people could be present at your premises at any time, you should enter the expected maximum number of people in this box. The figure relates to the maximum number of people on the club's premises, including employees, at any one time – not the total number over a period of time. If the variation is granted, you will be responsible for ensuring that the numbers at any one time do not exceed this figure. If you do exceed it, you would be in breach of your certificate, and you may be prosecuted for engaging in a licensable activity without valid authorisation, which is a criminal offence.

PART 4 – Operating Schedule

You should indicate which qualifying club activities would be subject to change if your application is successful – i.e. those that you are applying to add for the first time, or those that you are applying to change the permitted hours for. You do not need to list the activities which will not be affected by your application – however, if you wish to include these for the sake of completeness, there is no reason that you cannot do so.

When considering what to put in this section, you should think about all the activities you may want to conduct at the premises in the future and consider whether any are licensable activities under the Act.

Please indicate which qualifying club activities you wish to apply to vary by ticking the appropriate boxes. On the following pages, there is a section for each of the qualifying activities (one section covers both alcohol-related entries). You will need to complete the appropriate sections for each qualifying activity you wish to include in your application. If you are not applying to change a particular activity, please leave that section of the form blank, or mark it with the words “No change” or similar.

For each activity, please give the timings for any days of the week during which you intend the premises to be used for that qualifying activity (using the 24-hour clock). Any days when the premises will not be used for that activity should be left blank, or crossed through.

The spaces marked 'state any seasonal variations' and 'non standard timings' give you the opportunity to include any longer hours or additional days you may wish to apply for, for specific dates or periods. Typical examples could include additional hours on New Year's Eve or Bank Holiday weekends, or longer hours for a period during the summer or in the run-up to Christmas. If requesting any seasonal variations or non-standard timings, please be specific when setting out the days/periods you wish to apply for, and clearly state the times that you wish to be able to carry on the activity on those days. If it is not clear what days/times you are seeking, your application may be delayed while we clarify this.

For most of the activities, you are asked to indicate whether the activity will take place indoors, outdoors or both. Indoors may include a tent or similar temporary structure. Box I (supply of alcohol) instead asks you to confirm whether the alcohol you sell will be consumed on or off the premises, or both.

In the spaces marked 'Please give further details here', please outline the type of activity to be authorised, if not already stated, and give relevant further details – for example (but not exclusively) whether or not music will be amplified or unamplified.

Films Standard days and timings <i>(please read guidance note 6)</i>			Will the exhibition of films take place indoors or outdoors or both – please tick <i>(please read guidance note 2)</i>	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	-	-	Please give further details here <i>(please read guidance note 3)</i> <i>Showing a range of films for both family and older club members, mainly on midweek evenings but we may also have occasional matinee screenings on Wednesdays and weekends.</i>	Both	<input type="checkbox"/>
Tue	18:00	22:00			
Wed	12:00	22:00		State any seasonal variations for exhibition of films <i>(please read guidance note 4)</i>	
Thur	18:00	22:00		<i>Children's summer holiday cinema, running from 1st August - 31st August annually - from 11:00 to 16:00 each day</i>	
Fri	-	-		Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list <i>(please read guidance note 5)</i>	
Sat	12:00	01:00		<i>New Year's Eve - from 18:00 through to 01:00 on New Year's Day</i>	
Sun	12:00	15:00		<i>Sunday of August Bank Holiday weekend - from 12:00 to 23:00</i>	
	18:00	22:00	<i>Valentines Day - from 18:00 to midnight</i>		

Example of completed section

Can the club host public events and functions under a club premises certificate?
<i>No. The certificate will only authorise the specified activities for club members and their genuine guests, who have been signed in as per the club rules. If the club wishes to host events for members of the public, it will need to obtain temporary event notices or a premises licence to authorise this. This will also apply to any hire of the club's facilities for private parties – only club members and their guests would be entitled to attend these if provided under the club premises certificate.</i>
If a club puts on entertainment exclusively for its members and their guests, and does not charge, would this be classified as a private event that does not need licensing?
<i>Any type of entertainment provided by the club will require approval, either on the club premises certificate, or by a temporary event notice. From a licensing point of view, it does not make any difference if an entry fee (or any other kind of payment) is charged.</i>

<i>Do clubs have to be licensed to supply hot food and drink after 11pm?</i>
<i>No. The supply of hot food and drink to members of recognised clubs and their guests is exempt from the licensing requirements.</i>
<i>Under ‘non standard timings’ can I apply to open late to show high-profile international sporting events such as World Cup matches, the Superbowl or Australian Rules Football finals, that are broadcast late at night in the UK?</i>
<i>You can apply for whatever qualifying activities and timings you like, but should think about how these might be viewed by responsible authorities or other persons – in particular, regular late opening may cause concerns for nearby residents. It might be worth talking to the licensing authority and the relevant responsible authorities first to see what conditions, if any, you might offer to reassure any concerns.</i>

The following paragraphs give examples of the activities that may be authorised under each heading.

Section A: Plays

A performance of any dramatic piece, (including rehearsal), whether involving improvisation or not, which is given wholly or in part by one or more persons present and performing in which the whole or a major proportion of what is done by the person(s) performing, whether by way of speech, singing or action, involves the playing of a role.

Section B: Films

Any exhibition of moving pictures except where its sole or main purpose is to demonstrate a product, advertise goods or services or provide information, education or instruction, or if it is part of an exhibit in a museum or art gallery. Showing a television program at the time that it is broadcast is not licensable (although a TV licence and a contract with the pay-TV broadcaster, where applicable, will be required). Showing any recorded programmes other than at their broadcast time will be licensable.

Section C: Indoor sporting events

A sporting event is defined in the Act as any contest, exhibition or display of any sport in which physical skill is the predominant factor, and any form of physical recreation which is also engaged in for purposes of competition or display which takes place wholly inside a building, and at which the spectators are accommodated inside that building. This includes any enclosed structure and could be a vehicle, vessel or moveable structure.

Section D: Boxing or wrestling entertainment

Unlike other sports, boxing and wrestling is licensable whether held indoors or outdoors.

Section E: Live music

Music includes vocal or instrumental music or any combination of the two, performed by any number of participants. The performance of live music, if it is incidental to some other activity which is not in itself a licensable activity, is not licensable.

Section F: Recorded music

Your licence does not need to authorise the playing of recorded music if it is incidental to some other activity which is not in itself a licensable activity, as this would be exempt – for example, background music in a shopping centre is likely to be considered to be incidental. It is unlikely that the provision of a disc jockey or jukebox at your premises could be considered to be incidental, and should usually be included in your application as a licensable activity. If in any doubt, please consult the licensing authority. The use of a radio to listen to programmes at the time of broadcast is not licensable.

Section G: Performances of dance

Morris dancing or any dancing of a similar nature is not licensable, nor is the performance of unamplified live music as an integral part of such dancing.

Section H: Entertainment of a similar description to that falling within E, F and G

This section can be used to set out any other entertainments of a similar nature to those in the preceding sections, but which for whatever reason are not appropriate to include there. Please specify the type(s) of entertainment you wish to provide. Typical examples may include karaoke, poetry slams, quiz nights, capoeira displays, or other activities combining elements of music and dance.

Section I: Supply of alcohol

If you wish people to be able to consume alcohol on the premises, please tick 'on'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off'. If you wish people to be able to do both, please tick 'both'.

If you are adding alcohol to your certificate for the first time, you should discuss your application with the licensing authority prior to applying, as it may be the case that this would substantially change the nature of the club, and would therefore require a new Club Premises Certificate application (rather than the variation of an existing certificate).

Section J: Hours club premises are open to members and guests

In section J, you are asked to specify the times during which the premises will be open to members and guests. This may include times where no qualifying club activities take place, as it is important for responsible authorities, other persons and the licensing authority to know how long your premises is open in addition to the times when qualifying activities will take place. For example, it might be necessary and proportionate to include a winding-down period after qualifying activities finish and before the premises closes, to allow members to make an orderly departure from the premises.

You should indicate whether any of the 'seasonal variations' and 'non standard timings' for qualifying activities, would affect the hours the premises are open to members and guests, in the spaces provided. You may also wish to consider whether there will be any seasonal variations or non-standard timings when the premises will be open to the public at different times for non-licensable activities - for example, opening early to provide breakfasts during the Summer holidays.

Section K: Activities giving rise to concerns in respect of children

You are asked to give information about anything to occur at the club premises or ancillary to the use of the premises which may give rise to concern in respect of children, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or gambling. You do not need to complete this section if it does not apply to your premises, but rather than leave blank, it would be better to write 'none' or 'N/A' to be clear that you have considered this, rather than simply forgotten to complete the box.

Can a Club Certificate authorise sexual entertainment, such as striptease or lap-dancing?

Dacorum has adopted the provisions of the Policing & Crime Act 2009 relating to sexual entertainment venues, and will require any venue promoting regular sexually-stimulating performances or displays of nudity to hold a sex establishment licence. A Club Premises Certificate may also be required for other activities, such as the supply of alcohol or musical performances, but it cannot authorise sexual entertainment.

Removal of conditions

If your proposed variation will involve the amendment or removal of any conditions from your existing certificate, you should list these conditions here. You can request the removal of any existing conditions (except Mandatory Conditions from Annex 1 of your certificate), but should think about how the removal of these might be viewed by responsible authorities or other persons. It might be worth talking to your licensing authority and the relevant responsible authorities first to see what amendments to the conditions, if any, you might offer to reassure any concerns.

Enclosure of existing certificate

You are required to return your original certificate with your application. Please ensure that you retain a photocopy of the certificate. If for any reason you are unable to return the certificate, you should state the reasons for this in the appropriate box. The licensing authority will consider any reasonable explanation for the failure to supply the existing certificate.

Steps to promote the licensing objectives

In section L, you are asked to describe any additional steps, arising from the proposed variations, which you intend to take to promote the four licensing objectives, i.e.:

- ❖ Prevention of crime and disorder
- ❖ Prevention of public nuisance
- ❖ Public safety
- ❖ Protection of children from harm

Any steps listed here will be read in addition to the steps listed in any previous applications for the premises (which will have been translated to conditions in Annex 2 of the licence). You do not need to repeat those previous steps in this application unless they have direct relevance to the proposed variation. If you feel that the proposed variations do not require you to take any further measures, then you might wish to write 'N/A' or something like 'nothing beyond existing certificate conditions'. This shows you have considered the objectives and come to a decision that you have nothing additional to do and not that you have forgotten to write anything in this section.

If your application is granted, any measures that you include in this section will be translated into further conditions upon your certificate. Failure to comply with any condition on your certificate would constitute an offence under the Act, and is likely to result in enforcement action, as well as an increased likelihood of your certificate being reviewed. You should therefore think carefully about adding conditions to ensure that they are achievable, realistic, necessary, proportionate and within your control. Base your response on a proper, common sense consideration of the risks and what you can realistically do to mitigate them.

Of course, if a responsible authority considers that you need to do more to promote one of the licensing objectives than you have specified in your application, they will be able to make representations. You may find it useful to talk to the responsible authorities before completing the form, to discuss any measures that they would expect to see within your application.

The 'General Box' is best used to list any steps you will take that will benefit more than one of the licensing objectives, or which do not necessarily link in with any of the other headings – for example, employing additional staff.

Checklist and declaration

By ticking this list, you are making a declaration that you have carried out the listed actions. If you tick the boxes and do not carry out these actions, you may be making a false statement in relation to the application, which is an offence, which on conviction may make you liable to a fine of up to £5,000.

You should check that you have included all the required documentation. This includes the original certificate, a plan of the premises (where being altered), and a means of payment for the application fee.

PART 5 – Signatures

The application form must be signed on behalf of the club. A club's agent (for example a solicitor) may sign the form on their behalf provided that they have been given the authority to do so by the club.

Plans

You will only need to submit a new plan of the premises if you have made any alterations that mean the existing plan held by the licensing authority is now incorrect. Any plan needs to meet the requirements set out in the Act and associated Regulations and, in particular, should show the following matters:

- (a) the extent of the boundary of the building or perimeter of the licensed premises, and any external and internal walls of the building;
- (b) the location of points of access to and egress from the premises;
- (c) if different from paragraph (b), the location of escape routes from the premises;
- (d) the area within the premises which is to be used for each licensable activity applied for;
- (e) fixed structures (including furniture) or similar objects temporarily in a fixed location (but not furniture) which may impact on the ability of individuals on the premises to use exit routes without impediment;
- (f) the location and height of any stage or raised area relative to the floor;
- (g) the location of any steps, stairs, elevators or lifts;
- (h) the location of any room or rooms containing public conveniences;
- (i) the location and type of any fire safety and any other safety equipment, and
- (j) the location of a kitchen, if any, on the premises.

The information contained in the plan must be clear and legible in all material respects, and you may wish to include a key of symbols to illustrate the above items on the plan. The plan should be drawn to an appropriate scale – 1:100 or 1:50 (where a wall 10m long would be drawn on the plan as 10cm or 20cm respectively) are the most commonly used, but any other appropriate scale will be satisfactory.

<i>Do I have to have plans professionally drawn?</i>
<i>There is no requirement to have plans professionally drawn. What is important is that they are accurate and meet the requirements referred to above.</i>
<i>Do I need to show a consumption area, such as a beer garden, on the plan?</i>
<i>There is no requirement to include any areas on the plan that are not part of the premises you are licensing. You should, however, describe any areas that you intend to provide for people to consume alcohol that you sell or supply under the general description of the premises that you are required to give at the beginning of Part 3 of the application form.</i>

Responsible authorities

You are required to give a copy of the application, including any accompanying documentation, to the “responsible authorities” on the same day as the application is given to the licensing authority. Responsible authorities are the public bodies which may make representations to the licensing authority in relation to an application. Any representations must be about the likely effect of granting the application on the promotion of the licensing objectives. The responsible authorities include:

- ❖ Hertfordshire Constabulary
- ❖ Hertfordshire Public Health
- ❖ Dacorum Planning
- ❖ Hertfordshire Safeguarding Children Board
- ❖ Hertfordshire Fire & Rescue Service
- ❖ Dacorum Environmental Health
- ❖ Hertfordshire Trading Standards

For applications relating to vessels or certain public buildings, further responsible authorities have been designated, who must also be sent a copy of the application.

Contact details for all of the Responsible Authorities for the Dacorum area are provided with the application pack.

Advertising your application

All applications must be advertised, in order to allow local residents and businesses to review your proposals and make representation if they wish. There are two ways in which you must advertise:

- ❖ You must display a statutory notice at your premises for 28 consecutive days starting on the day after you submitted your application. This notice must be printed on blue paper, and be displayed so that it can be conveniently read from outside the premises **at all times**.
- ❖ You must also publish a public notice in a locally available newspaper, on one occasion, within 10 working days of submitting your application.

Templates for both of the advertisements are included at the rear of the application pack.

Failure to advertise your application in accordance with the legal requirements will invalidate your application, and could mean that you have to start the entire application process again.

Fees

All fees for Club Premises Certificates are linked to the Non-Domestic Rateable Value of the club's premises. This value is assessed by the Valuation Office Agency, and is also used in the calculation of business rates. The value for your premises will be shown on your most recent business rates invoice, or alternatively can be found through the search engine on the VOA website, www.voa.gov.uk

The fee that should accompany your application is shown in the third column of the table below. Payment should be made by cheque or postal order (payable to 'Dacorum Borough Council') or credit or debit card only – we are unable to accept cash payments.

Fee Band	Rateable Value	Application Fee	Annual Fee
A	No rateable value, up to £4,300	£100.00	£70.00
B	Between £4,301 and £33,000	£190.00	£180.00
C	Between £33,001 and £87,000	£315.00	£295.00
D	Between £87,001 and £125,000	£450.00	£320.00
E	£125,001 or more	£635.00	£350.00

Premises undergoing construction or redevelopment are treated as if they are in Band C.

Club Premises Certificates are also subject to an annual fee of the amount shown in the right-hand column above. This fee is payable on the anniversary of the original grant of the certificate every year – a variation application will not affect the due date of this payment.

These guidance notes are based upon those published by the Department for Culture, Media and Sport. Further information on the Licensing Act 2003 can be found on the GOV.UK website.



Advertising your application for the variation of a club premises certificate

As part of the application process, you are required to publicise your application in the vicinity of your premises, in two different ways:

- by publishing a public notice in a local newspaper, on one occasion within 10 working days of making your application to the licensing authority, and
- by displaying a statutory notice (on blue paper, A4 or larger) at or near the premises, for 28 days.

Templates for both of these advertisements are included below, which include the necessary formatting and wording to satisfy the requirements set out in the Regulations. Text in square brackets may be omitted.

Please note that classified advertising publications are not suitable for this purpose – your notice must appear in a publication with news content, available in the area in which your premises are situated. If there is no local newspaper published in that area, a local newsletter or circular publication may be used instead – please consult with Licensing Officers for guidance prior to making use of these types of publication.

Newspaper notice template

LICENSING ACT 2003 APPLICATION FOR VARIATION OF CLUB PREMISES CERTIFICATE

.....

[Name of club]

has applied to Dacorum Borough Council to vary a Club Premises Certificate, in respect of the following club premises:

.....

.....

[Trading name and address of the club premises]

The nature of the variation is as follows:

.....

.....

.....

.....

[Give a brief description of the variation application – for example, list any extra qualifying activities applied for, or if you are applying to extend hours give the proposed times you wish your certificate to authorise.]

A copy of this application may be inspected during normal office hours at:

Licensing, Dacorum Borough Council, The Forum, Marlowes, Hemel Hempstead, HP1 1DN, or via the licensing authority’s website, at www.dacorum.gov.uk/licensing

A responsible authority or any other person may make representation to the licensing authority in respect of this application. Representations must be made in writing, either by post to the above address, or by email to licensing@dacorum.gov.uk and must be received no later than *[28 days after the date on which your application was made]*

It is an offence to knowingly or recklessly make a false statement in connection with a licensing application, and the maximum fine for which a person is liable on summary conviction for that offence shall not exceed level 5 on the standard scale (£5,000).



LICENSING ACT 2003

Application to vary a Club Premises Certificate

.....
[Name of club]

has applied to Dacorum Borough Council to vary a Club Premises Certificate, in respect of the following club premises:

.....
.....

.....
[Trading name and address of the club premises]

The nature of the variation is as follows:

.....
.....
.....
.....

.....
[Give a brief description of the variation application – for example, list any extra qualifying activities applied for, or if you are applying to extend hours give the proposed times you wish your certificate to authorise.]

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.....
[28 days after the date on which your application was made]

It is an offence to knowingly or recklessly make a false statement in connection with a licensing application, and the maximum fine for which a person is liable on summary conviction for that offence shall not exceed level 5 on the standard scale (£5,000).

N.B. This notice must be printed on blue paper, A4 or larger, and displayed prominently at the premises concerned for a period of 28 consecutive days from the day after the application is made. It must be possible for the advertisement to be conveniently read from outside the premises.