

The 2003 Act in most cases, permits the applicant to submit an application to vary an existing club certificate rather than requiring a new Qualifying Club Certificate.

This type of variation should not be used for the following changes:

- A change of the name or address of someone named in the licence.
- This application cannot be used to change a Qualifying Club Certificate to a Premises Licence.
- An application for a Minor Variation

What are the Licensable Activities?

- sale of alcohol by retail;
- supply of alcohol by or on behalf of a club to, or the order of, a member of a club;
- supply of hot food and/or drink between 11.00 p.m. and 5.00 a.m.;

What is Regulated Entertainment?

- performance of a play;
- an exhibition of a film;
- an indoor sporting event;
- boxing or wrestling;
- a performance of live music;
- any playing of recorded music;
- a performance of dance;
- or entertainment of a similar description to live music, recorded music or dance.

How do I apply for a Variation of a Qualifying Club Premises Certificate?

An application for a Variation to a Qualifying Club Premises Certificate must be made to the Council and you need to submit:

- A completed application form.
- An operating schedule.
- A plan of the premises in the prescribed form.
- The application fee
- A copy of the Club rules

What is an operating schedule?

You may wish to consider additions to the operating schedule to show how you will continue to promote the licensable objectives.

The licensing objectives are:

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

Whilst carrying out its Licensing function Chesterfield Borough Council will have regard to its Statement of Licensing Policy.

Applying for a Variation to a Club Premises Certificate

1. You will need to complete an Application Form which is available from the Council at the Licensing Section, Customer Service Centre.
2. You will need to submit a plan of the Club premises with written or electronic applications.
3. You will need to submit a plan of the Club premises with written or electronic applications. The plan is not required to be submitted in any particular scale but they must be in a format, which is clear and legible in all material respects.

The plan shall show:

- a) the extent of the boundary of the building, if relevant, and any external and internal walls of the building and, if different, the perimeter of the premises;
- 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) in a case where the premises are used for more than one existing licensable activity, the area within the premises used for each activity*;
- e) in a case where an existing licensable activity relates to the supply of alcohol, the location or locations on the premises which is or are used for consumption of alcohol*;
- f) 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 exits or escape routes without impediment;
- g) in a case where the premises include a stage or raised area, the location and height of each stage or area relative to the floor;
- h) in a case where the premises include any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts;
- i) in a case where the premises include any room or rooms containing public conveniences, the location of the room or rooms;
- j) the location and type of any fire safety and any other safety equipment; and
- k) the location of a kitchen, if any, on the premises.

The plan may include a legend through which the matters mentioned or referred to in paragraph 3 are sufficiently illustrated by the use of symbols on the plan.

* To maintain consistency, could applicants please use the following colour code when identifying licensable areas on their plan and include a legend to that effect.

Red - Sale of alcohol

Purple – Consumption of alcohol

Green - Regulated entertainment (if different from above)

Blue - Late night refreshment (if different from above)

Brown - Cinema and Theatre

You will need to submit a fee with your application. Payment can be made by cash or cheques only. If payment is made by cheque then the cheque must be made payable to Chesterfield Borough Council. Fees are based on the non-domestic rateable value of the premises.

Your completed Application Form, plan and fee must be submitted to the Council at:

**Licensing Section,
Environment Services,
Customer Service Centre,
85 New Square
Chesterfield
S40 1AH**

- 4. You must also give a copy of the Application Form and the accompanying documents to all the Responsible Authorities on the same day that the Application Form is given to the Council. The names and addresses of the Responsible Authorities are available in the separate attachment.**
- 5. You will need to advertise the application in the local press and display a notice at or on the premises.**

The advertising requirements are as follows:

You must advertise by displaying a notice for a period of no less than 28 consecutive days starting on the day after the day on which the application was given to the Licensing Authority. (The notices are on blue paper and are provided by the Licensing Section please contact 01246 345230).

The notice must be prominently displayed at or on the Club premises to which the application relates where it can be conveniently read from the exterior of the premises. A premises covering an area of more than 50 metres square, a further notice must be displayed at every 50 metres along the external perimeter of the premises abutting any highway.

An advert must be displayed in a local newspaper circulating in the vicinity of the premises on at least one occasion during the period of 10 working days starting on the day after the application was submitted to the Council and Responsible Authorities. Both the notice and the advert must state the following:

- Licensable activities which are to be held on the premise
- The name of the applicant
- The postal address of the premises
- The date by which an interested party or responsible authority may make representations to the Council;

If there is a relevant representation to your application for a Variation to the Club Premises Certificate then, unless all parties agree otherwise, the application will have to be heard by the Council's Licensing Committee. The Licensing Committee will determine whether your application is acceptable, or if necessary amend or impose conditions on your activities or refuse your application. You have the right to appeal against any decision the Licensing Committee makes to North East Derbyshire and Dales Magistrates' Court, Tapton Lane, Chesterfield S41 7TW. If no relevant representations are made your licence will be granted.

10. Minor Variations

A Minor Variation may be used instead of a full Variation. Please contact the Licensing Authority to discuss the changes you wish to make as to ascertain whether it will require a Minor or full variation or refer to the Minor Variation guidance within Chesterfield Borough Council's website.

11. Incomplete Applications

It will be the applicant's responsibility to ensure that applications are completed correctly. Any incomplete applications will not be accepted by the Council and will be returned to the applicant. If an applicant is in any doubt about completing an application form he or she should seek independent advice on the matter.

Licensing Address	Telephone number
Licensing Environment Services Customer Service Centre 85 New Square Chesterfield S40 1AH	01246 345230 Fax: 01246 345235
Opening Times	Web Address
Monday - am: 10.00am - 12.00pm - pm: 13.00pm - 16.00pm Tuesday - am: CLOSED - pm: 13.00pm - 16.00pm Wednesday - am: 10.00am - 12.00pm - pm: 13.00pm - 16.00pm Thursday - am: CLOSED - pm: 13.00pm - 16.00pm Friday - am: 10.00am - 12.00pm - pm: 13.00pm - 15.30pm	www.chesterfield.gov.uk