



**South
Derbyshire
District Council**

**Application for the Grant or Variation of a Club Premises
Certificate**

Guidance Notes on How to Apply

A club premises certificate authorises the following licensable activities:

- Supply of alcohol by or on behalf of a club to, or to the order of, a member of the club;
- 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; and
- Regulated entertainment by or on behalf of a club for members of the club and their guests.

The following guidance details how to apply for a club premises certificate.

Qualifying Club

Only qualifying clubs may hold a club premises certificate. In order to be a qualifying club, a club must have at least 25 members and meet the following conditions:

- There must be an interval of at least two days between a persons' nomination or application for membership and their admission.
- Any person who becomes a member without prior nomination or application may not have the privileges of membership until there has been an interval of at least two days.
- The club must be established and conducted in good faith.
- Alcohol must only be supplied by or on behalf of the club.

Qualifying clubs should not be confused with proprietary clubs where the club is run commercially for profit. A commercial club requires a premises licence and is not a qualifying club. An example of a commercial club is a snooker club.

A qualifying club may wish to apply for a premises licence instead of, or in addition to, a club premises certificate.

A qualifying club is also able to admit associate members and guests i.e. members and guests of another qualifying club when licensable activities are taking place.

Application Form

If you wish to make any changes to the club premises certificate once granted, by extending the permitted hours, apply for additional activities and/or remove any conditions, you can do so by applying for a variation of the club premises certificate. The application process is the same as applying for a new club premises certificate as detailed below.

If you wish to make minor changes to the club premises certificate then you can apply for a minor variation.

Before completing the prescribed application form, read through the form and all the guidance notes. Complete the application form in block capitals ensuring that you complete all relevant sections signing and dating where required.

In addition to the application form, you will need to complete the declaration form for a club premises certificate which confirms that you are a qualifying club.

The club rules must be submitted with the application form. Any changes to the club rules, once a club premises certificate is in place, must be notified to the Licensing Authority along with payment of the relevant fee.

Prior to submitting your application, it is advisable to have the application checked over by a member of the Licensing Team to ensure that the form is completed correctly. An appointment to see a Licensing Officer can be made on the contact details listed at the end of this guidance.

You may also apply online using the link on the Council's website. If you apply online, it is the Council's responsibility to serve a copy of the application form on all of the Responsible Authorities.

Operating Schedule

The operating schedule is contained with the prescribed application form for the grant and variation of the club premises certificate. The schedule outlines what activities are proposed to be permitted, when the activities take place, how the activities will be managed and the overall opening hours.

It is advisable to apply for the maximum (but realistic) amount of hours for any activity. This should cover both current and potential future uses of the club.

One of the most critical parts of the operating schedule is the section where the applicant describes the steps they intend to take to promote the licensing objectives. Careful consideration of what is entered is advised as what is

written in this section is likely to become a condition on the club premises certificate if granted. To assist in completing this section, the Licensing Department has produced a Pool of Model Conditions which is available on the Council's website. It is advised to only offer conditions that you are able to comply with.

Plans

All applications must be accompanied by a plan of the club (except variation applications that are not requesting an amendment to the plan). The plan must be to scale and provide sufficient detail for the Licensing Authority to be able to determine the application and must show:

- the extent of the boundary of the building and any external and internal walls;
- the location of access to and egress from the premises;
- the location of escape routes, if different to the above;
- in a case where the premises is to be used for more than one licensable activity, the area within the premises used for each activity;
- the location of any fixed structures which may affect the ability of individuals on the premises to use exits or escape routes;
- the location of any stage or raised area and the height of each stage or area relative to the floor;
- the location of any steps, stairs, elevators or lifts;
- the location of any rooms containing public conveniences;
- the location of any fire safety and other safety equipment;
- the location of any kitchen.

Application Fee

The application form must be accompanied by the fee. The level of fee is based on the rateable value of the club at the time the application is made. If you do not know the rateable value of the premises it can be found from the Valuation Office Agency website: <https://www.gov.uk/correct-your-business-rates>

The appropriate fee is shown in the table below:

Band	A	B	C	D	E
Non-domestic rateable value	£0 - £4300	£4,301 - £33,000	£33,001- £87,000	£87,001- £125,000	£125,001 and over
Fee	£100	£190	£315	£450	£635

In cases where premises are under construction and have not been allocated a non-domestic ratable value but will be given a value as soon as a completion certificate is given, the fee for such a premises will be Band C. Subsequent annual fees will relate to the non-domestic ratable value given to the premises.

Fees will be due annually as follows:

BAND A	BAND B	BAND C	BAND D	BAND E
£70	£180	£295	£320	£350

If sending your application by post, payment can be made online or over the telephone. If you are delivering your application in person to the Council Offices then payment may be made by cash, credit or debit card.

Advertising your Application

If you are applying for a new club premises certificate or the full variation of an existing club premises certificate then you are required to advertise your application as follows once you have submitted your application to the Licensing Authority:

- **By displaying a notice** prominently on the premises where it can be conveniently read by the public for 28 consecutive days starting on the day after the day the application was received by the Licensing Authority. (if the premises cover an area over fifty metres square, a further notice is required in the same form every fifty metres along the external perimeter of the premises abutting any highway). The notice should be:
 - Of size A4 or greater;
 - On pale blue paper;
 - In black ink or type in a font size equal to or larger than 16.
- By publishing a **notice in a local newspaper** at least once, during the period of ten working days from the day after the day on which the application was received by the Licensing Authority. A list of accepted newspapers and their contact details is listed at the back of the document.

Both notices must contain the following information:

- The name of the club;
- The address of the club;
- A statement of the licensable activities that you propose to carry on at the premises;

- The location of the Licensing Authority's register (This can be given as South Derbyshire District Council, Civic Way, Swadlincote, Derbyshire, DE11 0AH);
- The date between which representations about the application can be made (This is 28 consecutive days starting on the day after the day on which the application was submitted to the Licensing Authority);
- State that representations must be made to the Licensing Authority in writing;
- A statement that it is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence.

A template notice is attached at the end of this guidance.

A copy of the public notice showing the date of publication and the name of the newspaper should be provided to the Licensing Department as soon as possible after its publication.

Failure to comply with the notice requirements will result in your application being rejected.

Submitting your Application Form

To ensure that your application is valid, you must send a copy to the Responsible Authorities listed below on the day that you submit the application to the Licensing Authority.

What happens next?

Once a complete application has been received, an acknowledgement letter will be sent.

Once the application has been received, there will be a 28 day representation period for any of the Responsible Authorities and other persons to raise a representation in relation to the application.

If there are no representations within the 28 day period, the club premises certificate will be granted as applied for subject to conditions attached by the operating schedule and relevant mandatory conditions.

If a representation from any other person or any of the Responsible Authorities has been received, the Licensing Department will decide whether the representation is relevant. If the Licensing Department determine that the representation is relevant, the application will be referred to the Licensing and Appeals Sub-Committee for determination. All relevant parties will be notified. A decision will be made by the Sub-Committee and the details of that decision will be circulated to the parties concerned.

The applicant does have a right of appeal and this should be made to the Magistrates Court appropriate to the location of the premises concerned. Professional legal advice should be sought if required.

Other Types of Applications

Minor Variations

It is possible to make minor changes to the club premises certificate through the minor variation process.

Minor variations will generally fall into four categories: minor changes to the structure or layout of a premises; small adjustments to the licensing hours; the removal of out of date conditions or addition of volunteered conditions; and the addition of certain licensable activities.

The test of whether a proposed variation is 'minor' is whether it would impact adversely on any of the four licensing objectives. For further advice, please contact the Licensing Department.

To apply for a minor variation, you need to submit the prescribed application form and return to the Licensing Department with the fee of £89, the original club premises certificate and the plan, if applicable.

You are not required to submit the application to any of the Responsible Authorities; the Licensing Department will determine who needs to be consulted depending on the type of minor variation applied for.

Once the application has been submitted, the application needs to be displayed by way of a white notice on the premises. The notice must contain certain information and a specimen notice is attached. The notice must be displayed for a period of ten working days starting on the working day after the application was submitted.

Responsible Authorities and other persons have 10 working days to raise any representations in relation to the application.

If no representations are received, the application is granted as applied for and the club premises certificate will be amended accordingly.

If relevant representations are received then the application is refused and a full variation application will be required.

The Licensing Department has 15 working days to determine the application. If the application is not determined within 15 working days, the application will be treated as refused.

Contact Details

If you would like to speak to a member of the Licensing Team for advice, guidance or to make an appointment then you can contact them on the following details:

Email: licensing@southderbyshire.gov.uk
Telephone: 01283 595724/765

Responsible Authorities Contact Details

<p><u>Licensing</u></p> <p>South Derbyshire District Council Civic Offices Civic Way Swadlincote Derbyshire DE11 0AH</p> <p>licensing@southderbyshire.gov.uk</p>	<p><u>Police</u></p> <p>Derbyshire Constabulary Licensing Section Derby Divisional HQ St. Mary's Wharf Prime Park Way Chester Green Derby DE1 3AB</p> <p>derby.licensing@derbyshire.pnn.police.uk</p>
<p><u>Fire And Rescue</u></p> <p>Derbyshire Fire & Rescue Service South Area Office Ascot Drive Community Fire Station Ascot Drive Derby DE24 8GZ</p> <p>SouthAreaAdmin@derbys- fire.gov.uk</p>	<p><u>Health & Safety Enforcement</u></p> <p>South Derbyshire District Council Civic Offices Civic Way Swadlincote Derbyshire DE11 0AH</p> <p>commercial.team@southderbyshire.gov.uk</p>
<p><u>Planning</u></p> <p>Head of Planning Services South Derbyshire District Council Civic Offices Civic Way Swadlincote Derbyshire DE11 0AH</p> <p>planning@southderbyshire.gov.uk</p>	<p><u>Environmental Health</u></p> <p>Environmental Health Division South Derbyshire District Council Civic Offices Civic Way Swadlincote Derbyshire DE11 0AH</p> <p>environmental.health@southderbyshire.gov.u k</p>
<p><u>Derbyshire Safeguarding Children Board</u> <u>Derbyshire Trading Standards Service</u> <u>Derbyshire Public Health</u></p> <p>County Hall Matlock Derbyshire DE4 3AG</p> <p>trading.standards@derbyshire.gov.u k</p>	<p><u>Home Office</u></p> <p>Alcohol Licensing Team Lunar House 40 Wellesley Road Croydon CR9 2BY</p> <p>alcohol@homeoffice.gsi.gov.uk</p>

Local Paper Public Notice Contact Details

Staffordshire Newspapers Ltd FAO Admin 65-68 High Street Burton on Trent Staffordshire DE14 1LE Tel: 01283 512345	Derby Evening Telegraph Northcliffe House Meadow Road Derby DE1 2DW Tel: 01332 291111
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Swadlincote Post is also a newspaper circulating in the vicinity but this newspaper is weekly.

An applicant may also use any other local newspaper that circulates in the vicinity however please check with the Licensing Department to see if the proposed newspaper is acceptable.

LICENSING ACT 2003
NOTICE OF APPLICATION FOR NEW CLUB PREMISES
CERTIFICATE

Name of Club:
Postal address of premises:
Summary of proposed licensable activities (hours and activities applied for):
Dated:
The register can be viewed during office hours at South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH. Please contact 01238 595890 or 01283 595724 in order to make an appointment. Alternatively, the full application can be viewed at www.south-derbys.gov.uk .
Any representation relating to this application must be made in writing to the Licensing Authority by 29 consecutive days after the date of this notice.
It is an offence knowingly or recklessly to make a false statement in connection with an application. The maximum fine on summary conviction for this offence is £5,000.

LICENSING ACT 2003:
NOTICE OF APPLICATION FOR A VARIATION OF A CLUB
PREMISES CERTIFICATE

Name of Club:
Postal address of premises:
Summary of the variation to the existing licensable activities:
Dated:
The register can be viewed during office hours at South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH. Please contact 01238 595890 or 01283 595724 in order to make an appointment. Alternatively, the full application can be viewed at www.south-derbys.gov.uk .
Any representation relating to this application must be made in writing to the Licensing Authority by 29 consecutive days after the date of this notice.
It is an offence knowingly or recklessly to make a false statement in connection with an application. The maximum fine on summary conviction for this offence is £5,000.

**LICENSING ACT 2003:
MINOR VARIATION OF A CLUB PREMISES CERTIFICATE**

Name of Club:

Postal address of premises:

Summary of the minor variation to existing licensable activities being proposed:

Dated:

The register can be viewed during office hours at South Derbyshire District Council, Civic Offices, Civic Way, Swadlincote, Derbyshire, DE11 0AH. Please contact 01238 595890 or 01283 595724 in order to make an appointment. Alternatively, the full application can be viewed at www.south-derbys.gov.uk.

Any representation relating to this application must be made in writing to the Licensing Authority by 10 working days from the date of this notice.

It is an offence knowingly or recklessly to make a false statement in connection with an application. The maximum fine on summary conviction for this offence is £5,000.

Additional Fees

Application/Notification	Fee Due
Application for a minor variation	£89
Temporary Event Notice	£21
Application for copy of club premises certificate that has been lost, stolen or damaged	£10.50
Interim Authority Notice	£23
Provisional Statement	£315
Notification of change of name or alteration of club rules	£10.50
Change of relevant registered address of club	£10.50
Application for copy of temporary event notice if lost, stolen or damaged	£10.50
Notification of interest	£21