Purpose

This guidance is aimed at individuals or businesses who would like to vary their club premises certificate. This guidance describes the activities that can be applied for and the application process.

Licensable activities

Under the Licensing Act 2003 (the Act) Leeds City Council is the licensing authority for the Leeds district. The licensing authority issues premises licences and club premises certificates which allow many types of business to carry out certain licensable activities:

- Sale by retail of alcohol
- The provision of regulated entertainment
- The provision of late night refreshment between 11pm and 5am

This affects pubs, bars, restaurants, supermarkets, off licences, cinemas, theatres, community premises and late night takeaways to name just a few.

Regulated entertainment includes the following activities:

a) a performance of a play  
b) an exhibition of a film  
c) an indoor sporting event  
d) boxing or wrestling entertainment  
e) a performance of live music  
f) any playing of recorded music  
g) a performance of dance  
h) entertainment of a similar description to e), f) or g)

The above list gives a quick overview of what the Act defines as regulated entertainment. There is further guidance contained in the Act which explains in more detail how the above areas are defined. If you are unsure if an activity is licensable please speak to Entertainment Licensing for further advice.

The licensing objectives

Under the Act the Licensing Authority must publish a statement of licensing policy showing how it will promote the licensing objectives of:

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

This document is available on the Leeds City Council website at www.leeds.gov.uk/licensing or you can request a copy from Entertainment Licensing.

The licensing objectives have equal weight and form the entire basis of how the Act works.
When you make an application you must show how your proposed activities will not have an adverse effect on the licensing objectives. Likewise if individuals or businesses wish to object to your application they can only do so on the grounds of one or more the four licensing objectives. Responsible authorities, who must be sent copies of your application, can only object on the grounds of one or more of the four licensing objectives.

**Responsible Authorities**

When you apply for a club premises certificate you will need to send entire copies of your application to the responsible authorities. These are agencies which the government has given specific powers to under the Act to promote the four licensing objectives. You can find contact details for all the responsible authorities later on in this document.

**Applying for a new club premises certificate**

To apply to vary a club premises certificate you need to complete all the stages listed below. Before applying you need to consider how the nature of the proposed variation will impact upon the licensing objectives.

On page 12 of the application form you need to describe what steps you will take to promote the licensing objectives. When you send copies of your application to the responsible authorities they will look at this section to check whether you have taken sufficient steps to promote the licensing objectives. If one or more of the agencies are not satisfied with the content of this section your application may receive a representation.

To reduce the risk of receiving a representation you may wish to contact the responsible authorities before submitting your application and they will advise you on the appropriate measures required in order to meet the licensing objectives.

To help you fill out this section you may also wish to use our risk assessment pro forma which contains many of the key issues which the responsible authorities will be expecting you to demonstrate. Although you do not have to use this form or provide a copy to the Council, if you do, the agencies can better judge your application and are less likely to make a representation.

When you send your application to the Licensing Authority and the responsible authorities you will then need to fulfill a 28 day notice period. This is a period of time when your application is advertised and when responsible authorities and other people such as local residents can make representations to the licensing authority about your application.

If, after this 28 day notice period, your application has received no representations then your new certificate will be granted subject only to certain conditions which are consistent with the measures you volunteered at page 14 of your application form plus any other mandatory conditions imposed by the Act. If representations are received during the notice period then your application will go to a hearing.

**The application process:**

1) Complete the form CLUB3.
2) Prepare the following documents to accompany your application form:
   a. A plan of your premises
   b. Your existing club premises certificate
   c. The correct fee
3) Send your completed application (including the plans and fee) to Entertainment Licensing, Leeds City Council.
4) On the same day as sending your application to the Council, you must also send a copy of your application to each of the responsible authorities. A list of the contact details can be found below.
5) Upon sending your application to the Licensing Authority and the Responsible Authorities you will then need to advertise your application.
Plans

The plan of your premises should show:

- the boundary of the building with any external or internal walls; entrances and exits to the building;
- escape routes from the building;
- locations of different licensable activities in the building (if relevant); where alcohol will be consumed in the premises;
- fixed or temporary structures which may block entrances or exits to the building;
- the location and height of any stages in the premises; any steps, stairs, elevators or lifts in the premises;
- the location of any public toilets in the building;
- fire safety equipment or any other safety equipment such as;
  - Location of fire alarm; type of sounder e.g. siren or bell
  - Whether it is a heat or smoke detector
  - Location of emergency lighting
  - Location of illuminated exit signs
  - Location of fire extinguishers and ID type
  - Position of any fire doors
  - Location of fire blanket
  - The location of a kitchen.

Unless agreed with the council, the plan should be drawn to a standard scale with a key showing the items mentioned above. The standard scale is 1:100

Advertising your application

When applying for a new club premises certificate, the Act requires you to advertise your application. The rules on advertising are strict and should be followed carefully.

Site Notice

You must display a notice about your application at or on your licensed premises. The notice must be displayed for 28 consecutive days. The 28 days run from the day after you sent your application to the Council.

The notice must be on pale blue A4 paper, although it can be larger, with black lettering. The lettering must be at least in 16 font. Do not obscure the notice in any way or make it difficult to read. Others must be able to read the notice from outside your premises. If your premises is more than 50 metres square you must place a notice, identical to the one described above, every 50 metres along the external perimeter of your premises where it touches the highway.

If your premises is within a complex or its own grounds and the public will be unable to view the notice or notices from the exterior of the site then you should also display a notice at the nearest public thoroughfare (such as at the entrance to the complex/site) so the notice is easily read by the passing public.

When preparing your notices, please ensure they contain all of the prescribed information:

- Your name.
- The address of your premises.
- A brief description of the variation.
- The Council’s internet address.
- That written objections about your application can be sent to the Council for a limited time.
- That making a false objection is a criminal offence.

A sample notice is available at the end of this document.
Once you have sent us your application one of our enforcement officers will visit your site to inspect the notices. If it is found that the notices or their positioning does not meet the requirements of the Act then we may ask you to redisplay the notices and we may reset your 28 day notice period. Please feel free to contact us before you submit your application to clarify what our requirements will be in this regard so as to reduce the chances of this happening.

**Newspaper Advert**

You must also publish a notice about your club premises certificate application. It must be placed in a local newspaper which covers the area where the premises is located. The notice should appear within 10 working days of your application being sent to the Council. It must contain the same information as the notice placed on your premises but does not need to have the same lettering, dimensions, font size or colouring. We strongly recommend you shop around for your advert and try the national as well as the local papers.

**Hearings**

If necessary your application will be sent to a Licensing Sub Committee hearing. The Licensing Sub Committee will be made up of three councillors.

You will be notified ten days before the date of the hearing. You will be sent a report containing the representations that have been received in respect of your club premises certificate application. You will also be sent guidance explaining the format of the hearing. You will need to send back the form stating whether you will be attending the hearing or whether you will be sending a representative. During the hearing you will be able to put your case forward to the Licensing Sub Committee as will anyone who made a representation. After this all parties are asked to leave the room while the Sub Committee deliberate. You will then be invited back into the room and will be told whether your application has been accepted, accepted with conditions or rejected.

**Application Fees**

<table>
<thead>
<tr>
<th>Band</th>
<th>A</th>
<th>B</th>
<th>C</th>
<th>D</th>
<th>E</th>
</tr>
</thead>
<tbody>
<tr>
<td>Non domestic rateable value of premises</td>
<td>None-£4,300</td>
<td>£4,301-£33,000</td>
<td>£33,001-£87,000</td>
<td>£87,001-£125,000</td>
<td>£125,001+</td>
</tr>
<tr>
<td>Application Fee</td>
<td>£100</td>
<td>£190</td>
<td>£315</td>
<td>£450</td>
<td>£635</td>
</tr>
<tr>
<td>Multiplier applied to premises used exclusively or primarily for the supply of alcohol for consumption on the premises (Bands D &amp; E only)</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>£900</td>
<td>£1905</td>
</tr>
<tr>
<td>Annual fee*</td>
<td>£70</td>
<td>£180</td>
<td>£295</td>
<td>£320</td>
<td>£350</td>
</tr>
<tr>
<td>Annual fee multiplier applied to premises used exclusively or primarily for the supply of alcohol for consumption on the premises (Bands D&amp;E only)</td>
<td>N/A</td>
<td>N/A</td>
<td>N/A</td>
<td>£640</td>
<td>£1050</td>
</tr>
</tbody>
</table>

*There are additional fees for premises licence and club premises certificate applications for large events with over 5,000+ people. Contact Entertainment Licensing for more information.*
Payment

We can accept payment by all major credit and debit cards at our St George House office. We operate an appointment service so please contact us to arrange an appointment before visiting the office. We can also take payment over the telephone.

Please make cheques payable to Leeds City Council.

Use of Personal Data

Leeds City Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on your application for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

Contact details:

Entertainment Licensing Phone: 0113 378 5029
Leeds City Council Fax: 0113 336 7124
Civic Hall Website: www.leeds.gov.uk/licensing
Leeds, LS1 1UR Email: entertainment.licensing@leeds.gov.uk

This document should be used as a guidance tool. Only the courts can give an authoritative opinion on statute law. Every effort has been made to ensure this document is both comprehensive and accurate but in an attempt to simplify the law omissions have been made. Please refer to the Licensing Act 2003 and associated regulations for full details of the law. You should seek your own legal advice on the matters raised in this guidance note.
Notice is hereby given that:

We, Leeds Social Club, have made an application under section 84 of the Licensing Act 2003 for the variation of a club premises certificate for the premises known as

Leeds Social Club, Leeds Road, Leeds, LS1 1BA

The variation is to:
- Increase the hours for the supply of alcohol from 11pm to 2am the next morning
- Add live music, recorded music and provision of facilities for dancing.
- Remove the condition relating to no under 18s on the premises.

Responsible authorities and other persons may make written representations to Leeds City Council about this application until 10th March 2012 which should be sent to Entertainment Licensing, Leeds City Council, Civic Hall, Leeds, LS1 1UR

For full details and to view a copy of the application please contact Entertainment Licensing on 0113 378 5029 or email entertainment.licensing@leeds.gov.uk

It is an offence to knowingly or recklessly make a false statement in connection with an application and the maximum fine for which a person is liable on conviction for this offence is a fine not exceeding £5,000.