

2005 No. 40

LICENCES AND LICENSING

**The Licensing Act 2003 (Transitional provisions)
Order 2005**

Made - - - - - *12th January 2005*

Laid before Parliament *13th January 2005*

Coming into force - - *7th February 2005*

The Secretary of State, in exercise of the powers conferred upon her by paragraphs 2(4), (6) and (7), 6(8), 11(1), 12(1), 14(3), (5) and (6), 18(5) and 23(3) and (4) of Schedule 8 to the Licensing Act 2003(a), hereby makes the following Order:

PART 1

GENERAL

Citation, commencement and interpretation

1.—(1) This Order may be cited as the Licensing Act 2003 (Transitional provisions) Order 2005 and shall come into force on 7th February 2005.

(2) In this Order—

“the Act” means the Licensing Act 2003;

“alternative scale plan” means a plan in a scale other than the standard scale;

“fire and other safety equipment” includes fire extinguishers, fire doors, fire alarms and other similar equipment;

“person of standing in the community” includes a bank or building society official, a police officer, a civil servant or a minister of religion;

“Schedule 8” means Schedule 8 to the Act;

“specified fee” in relation to an application, shall be the fee for such application calculated in accordance with an order made by the Secretary of State under paragraph 2(5)(b) or 14(4)(b) of Schedule 8 as the case may require;

“standard scale” means that 1 millimetre represents 100 millimetres.

Application for conversion of existing licence in respect of premises under paragraph 2 of Schedule 8

2.—(1) An application under paragraph 2 of Schedule 8 shall be in the form and (in addition to the information specified in paragraph 2(4)(a) of Schedule 8) shall contain the information set out in Part A of Schedule 1 to this Order and shall be accompanied by the specified fee.

(a) 2003 c. 17.

(2) Where a person making an application in accordance with paragraph (1) in pursuance of paragraph 7(1) of Schedule 8 at the same time makes an application under section 34 or 37 of the Act, Part B of Schedule 1 to this Order incorporates the form of application for such purposes.

(3) Where paragraph 2(4)(b) of Schedule 8 applies (any relevant existing licence authorises the supply of alcohol), the application must state the name and address of the person whom the applicant wishes to be the premises supervisor.

(4) The form of consent which, in accordance with paragraphs 2(5)(a) and (6)(d) of Schedule 8, must (where applicable) accompany the application shall be in the form specified in Schedule 2 to this Order.

(5) The form of consent which, in accordance with paragraphs 2(5)(a) and (6)(e) of Schedule 8, must (where applicable) accompany the application shall be in the form specified in Schedule 3 to this Order.

3.—(1) The plan of the premises which, in accordance with paragraphs 2(5)(a) and (6)(b) of Schedule 8, must accompany the application shall comply with the remaining paragraphs of this article.

(2) Unless the relevant licensing authority has previously agreed in writing with the applicant following a request by the applicant that an alternative scale plan is acceptable to it, in which case the plan shall be drawn to that alternative scale, the plan shall be drawn in standard scale.

(3) 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 (3)(b), the location of escape routes from the premises;
- (d) in a case where the premises is 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 includes 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 includes any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts;
- (i) in a case where the premises includes 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.

(4) 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.

Enactments specified under paragraph 6(8) of Schedule 8

4. The following enactments are specified under paragraph 6(8) of Schedule 8 for the purposes of Part 1 of Schedule 8, namely—

- (a) Children and Young Persons Act 1933(a);
- (b) Cinematograph (Safety) Regulations 1955(b);
- (c) Licensing Act 1964(c);
- (d) Sporting Events (Control of Alcohol Etc) Act 1985(d).

(a) 1933 c. 12.
(b) S.I 1955/1129.
(c) 1964 c. 26.
(d) 1985 c. 57.

Specified periods during which particular provisions apply to an application for the grant of a premises licence

5. The period specified for the purposes of paragraph 11(1)(a) of Schedule 8 (special provision about opening hours where the holder of a justices' licence applies for the grant of a premises licence) shall be the period commencing on 7th February 2005 and ending on the second appointed day(a).

6. The period specified for the purposes of paragraph 12(1)(a) of Schedule 8 (special provision about an application for the grant of a premises licence where a provisional grant of a justices' licence has been made) shall be the period commencing on 7th February 2005 and ending on the day which is the first anniversary of the second appointed day.

Application for conversion of existing club certificate under paragraph 14 of Schedule 8

7.—(1) An application under paragraph 14 of Schedule 8 shall be in the form and (in addition to the information specified in paragraph 14(3) of Schedule 8) shall contain the information set out in Part A of Schedule 4 to this Order and shall be accompanied by the specified fee.

(2) Where a club making an application in accordance with paragraph (1) in pursuance of paragraph 19(1) of Schedule 8 at the same time makes an application under section 84 of the Act, Part B of Schedule 4 to this Order incorporates the form of application for such purposes.

(3) The other document which, in accordance with paragraph 14(4)(a) and (5)(c) of Schedule 8, must accompany the application is a copy of the rules of the club.

8.—(1) The plan of the premises which, in accordance with paragraphs 14(4)(a) and (5)(b) of Schedule 8, must accompany the application shall comply with the remaining paragraphs of this article.

(2) Unless the relevant licensing authority has previously agreed in writing with the club following a request by the club that an alternative scale plan is acceptable to it, in which case the plan shall be drawn to that alternative scale, the plan shall be drawn in standard scale.

(3) 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 (3)(b), the location of escape routes from the premises;
- (d) in a case where the premises is used for more than one existing qualifying club activity, the area within the premises used for each activity;
- (e) in a case where the existing qualifying club 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 exit or escape routes without impediment;
- (g) in a case where the premises includes 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 includes any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts;
- (i) in a case where the premises includes 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.

(4) 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.

(a) paragraph 1(1) of Schedule 8 to 2003 c. 17 contains a definition of "second appointed day".

Enactments specified under paragraph 18(5) of Schedule 8

9. The following enactments are specified under paragraph 18(5) of Schedule 8 for the purposes of Part 2 of Schedule 8, namely—

- (a) Children and Young Persons Act 1933;
- (b) Cinematograph (Safety) Regulations 1955;
- (c) Licensing Act 1964;
- (d) Sporting Events (Control of Alcohol Etc) Act 1985.

Photograph of the applicant accompanying the application for the grant of a personal licence

10. The photograph of the applicant which, in accordance with paragraphs 23(1)(b) and (3)(b) of Schedule 8, must accompany the application for the grant of a personal licence shall be—

- (a) taken against a light background so that the applicant's features are distinguishable and contrast against the background,
- (b) 45 millimetres by 35 millimetres,
- (c) full face uncovered and without sunglasses and, unless the applicant wears a head covering due to his religious beliefs, without a head covering,
- (d) on photographic paper, and
- (e) endorsed, as referred to in paragraph 23(3)(b) of Schedule 8, by—
 - (i) the chief executive of the licensing justices for the relevant licensing authority,
 - (ii) a solicitor or notary,
 - (iii) a person of standing in the community; or
 - (iv) an individual with a professional qualification.

Provision of forms etc.

11. The relevant licensing authority—

- (a) must provide on request the forms listed in the Schedules printed on paper; or
- (b) in a case where the relevant licensing authority maintains a website, it may provide electronic copies of the forms listed in the Schedules on its website.

Validity of forms etc.

12. A relevant licensing authority shall not reject any application or other document by reason only of the fact that it is given on a form provided otherwise than from the relevant licensing authority but which complies with the requirements of this Order.

12th January 2005

Richard Caborn
Minister of State
Department for Culture, Media and Sport

[insert name and address of relevant licensing authority and its reference number, optional]

(Part A) Application for an existing licence to be converted to a premises licence under the Licensing Act 2003 and (Part B) application to vary the premises licence simultaneously

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.

I/We [] apply to convert an existing licence to a premises licence under Schedule 8 to the Licensing Act 2003 for the premises described in Part A1 below

Part A1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description	
Post town	Post code

Telephone number of premises (if any)

Non-domestic rateable value of premises £

Part A2 - Applicant Details

Please state the capacity in which you are applying to convert your existing licence
Please tick ✓

- a) An individual or individuals please complete section (A)
- b) a person other than an individual
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)

g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital

please complete section (B)

h) the chief officer of police of a police force in England and Wales

please complete section (B)

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname First names

I am 18 years old or over Please tick Yes

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)

Mr Mrs Miss Ms Other title (for example, Rev)

Surname First names

I am 18 years old or over Please tick Yes

Current postal address if different from premises address

Post Town Postcode

Daytime contact telephone number

E-mail address (optional)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint nature (other than a body corporate), please give the name and address of each party concerned.

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part A3 - Operating Schedule

General description of premises (please read guidance note 1)

If 5,000 or more people attend the premises at any one time, please state the number

What existing licensable activities are authorised by your existing licence(s)?

Please tick Yes

Provision of regulated entertainment

- a) plays
- b) films
- c) indoor sporting events
- d) boxing or wrestling entertainment
- e) live music
- f) recorded music
- g) performances of dance
- h) anything of a similar description to that falling within (e), (f) or (g)

Provision of entertainment facilities for:

- i) making music
- j) dancing
- k) entertainment of a similar description to that falling within (i) or (j)

Provision of late night refreshment

Sale by retail of alcohol

- a) for consumption on the premises
- b) for consumption off the premises

Please state who you wish to be specified to be the premises supervisor under the new licence

Name

Address.....

Personal Licence number, if known,

State any limitations on the hours during which you are permitted by your licence(s) or any additional authorities to conduct licensable activities, including the sale of alcohol.

A large, empty rectangular box with a thin black border, intended for the user to provide details regarding any limitations on licensable activities.

Describe the conditions subject to which your existing licence(s) has/have been granted (please read guidance note 2):

a) General – all four licensing objectives (b,c,d,e)

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Please tick ✓ Yes

- I have made or enclosed payment of the fee
- I have enclosed my existing licence(s) or a certified copy of each licence
- I have enclosed a plan of the premises
- I have sent copies of this application to the chief officer of police (please read guidance note 3)
- I have enclosed the consent form completed by the proposed premises supervisor, if relevant
- I have enclosed the consent of the justices' licence holder to my application, if relevant
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part A4 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent. (Please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date.....

.....

Capacity.....

.....

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (Please read guidance note 6). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date.....

.....

Capacity.....

.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 7)	
Post town	Post code
Telephone number	
E-mail address (optional)	

IF YOU WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE PREMISES LICENCE IF IT IS CONVERTED FROM YOUR EXISTING LICENCE(S) UNDER SECTION 34 OR 37 OF THE LICENSING ACT 2003, NOW COMPLETE PART B OF THIS FORM.

IF YOU DO NOT WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE PREMISES LICENCE IF IT IS CONVERTED FROM YOUR EXISTING LICENCE(S), YOU SHOULD LEAVE PART B BLANK.

PART B - Application to vary a premises licence under the Licensing Act 2003

I/We..... being the proposed premises licence holder of an
[Insert name of applicant]
existing licence to be converted under the terms of Schedule 8 to the Licensing Act 2003 apply to vary it under section 34/section 37 of the Licensing Act 2003 (delete as applicable) for the premises described in Part A above.

Part B1 - Variation

Do you want the proposed variation to have effect from the second appointed day? Please tick ✓

If not when do you want the variation to take effect from

Day	Month	Year

Please describe briefly the nature of the proposed variation. (Please read guidance note 8)

If your 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 B2 - Operating Schedule

Please complete those parts of the operating schedule which would be subject to change if this application to vary were successful.

What licensable activities do you now intend to conduct on the premises and/or at what varied times do you intend to conduct them ?

(please see section 1 of the Licensing Act 2003 and Schedule 1 to the Licensing Act 2003)

Provision of regulated entertainment		Please tick ✓
		Yes
a)	plays (if ticking yes, fill in box A)	<input type="checkbox"/>
b)	films (if ticking yes, fill in box B)	<input type="checkbox"/>
c)	indoor sporting events (if ticking yes, fill in box C)	<input type="checkbox"/>
d)	boxing or wrestling entertainment (if ticking yes, fill in box D)	<input type="checkbox"/>
e)	live music (if ticking yes, fill in box E)	<input type="checkbox"/>
f)	recorded music (if ticking yes, fill in box F)	<input type="checkbox"/>
g)	performances of dance (if ticking yes, fill in box G)	<input type="checkbox"/>
h)	anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	<input type="checkbox"/>
Provision of entertainment facilities:		
i)	making music (if ticking yes, fill in box I)	<input type="checkbox"/>
j)	dancing (if ticking yes, fill in box J)	<input type="checkbox"/>
k)	entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)	<input type="checkbox"/>
Provision of late night refreshment (if ticking yes, fill in box L)		<input type="checkbox"/>
Sale by retail of alcohol (if ticking yes, fill in box M)		<input type="checkbox"/>
Please complete Part B3 on this form.		<input type="checkbox"/>

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick [✓] (please read guidance note 9)		Indoors	
					Outdoors	
Day	Start	Finish			Both	
Mon			Please give further details here (please read guidance note 10)			
Tue						
Wed			State any seasonal variations for performing plays (please read guidance note 11)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 12)			
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick [✓] (please read guidance note 9)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 10)	Both		
Tue						
Wed				State any seasonal variations for the exhibition of films (please read guidance note 11)		
Thur						
Fri						
Sat				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 (please read guidance note 12)		
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 10)	
Day	Start	Finish		
Mon			State any seasonal variations for indoor sporting events (please read guidance note 11)	
Tue				
Wed				
Thur				Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 12)
Fri				
Sat				
Sun				

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [✓] (please read guidance note 9)		Indoors	
					Outdoors	
Day	Start	Finish				
Mon			Please give further details here (please read guidance note 10)			
Tue						
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 11)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)			
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick [✓] (please read guidance note 9)		Indoors	
					Outdoors	
Day	Start	Finish				
Mon			Please give further details here (please read guidance note 10)			
Tue						
Wed			State any seasonal variations for the performance of live music (please read guidance note 11)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 12)			
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 9)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 10)			
Tue						
Wed				State any seasonal variations for playing recorded music (please read guidance note 11)		
Thur						
Fri						
Sat				Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)		
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 9)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 10)			
Tue						
Wed				State any seasonal variations for the performance of dance (please read guidance note 11)		
Thur						
Fri						
Sat				Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing	
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick [✓] (please read guidance note 9)	Indoors
				Outdoors
Mon				Both
Tue			Please give further details here (please read guidance note 10)	
Wed				
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 11)	
Fri				
Sat			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 12)	
Sun				

Provision of facilities for making music Standard days and timings (please read guidance note 8)			Please give a description of the facilities for making music you will be providing		
			Will the facilities for making music be indoors or outdoors or both – please tick [✓] (please read guidance note 9)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 10)		
Tue					
Wed			State any seasonal variations for the provision of facilities for making music (please read guidance note 11)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sat					
Sun					

Provision of facilities for dancing Standard days and timings (please read guidance note 8)			Will the facilities for dancing be indoors or outdoors or both – please tick [✓] (see guidance note 9)		
			Will the facilities for dancing be indoors or outdoors or both – please tick [✓] (see guidance note 9)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 10)		
Tue					
Wed			State any seasonal variations for providing dancing facilities (please read guidance note 11)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sat					
Sun					

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick [✓] (please read guidance note 9)	Indoor	
				Outdoor	
Mon				Both	
Tue			Please give further details here (please read guidance note 10)		
Wed					
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j (please read guidance note 11)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [✓] (please read guidance note 9)		Indoors	
Day	Start	Finish			Outdoors	
					Both	
Mon			Please give further details here (please read guidance note 10)			
Tue						
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 11)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 12)			
Sat						
Sun						

M

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption (Please tick box ✓) (please read guidance note 13)	On the premises		
Day	Start	Finish		Off the premises		
Mon			State any seasonal variations for the supply of alcohol (please read guidance note 11)	Both		
Tue						
Wed						
Thur				Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 12)		
Fri						
Sat						
Sun						

IN ALL CASES PLEASE COMPLETE BOXES N, O, P and Q below

N

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 (please read guidance note 14)

O

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 11)
Day	Start	Finish	
Mon			Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 12)
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

P

Please identify any of the conditions, terms or restrictions currently imposed on the converted licence which you believe could be removed as a consequence of the proposed variation you are seeking

Q Please describe any additional steps that you intend to take in order to promote the four licensing objectives if the proposed variation is granted:

a) General – all four licensing objectives (b, c, d, e) (please read guidance note 15)

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Part B3 – Premises Supervisor

Full name of proposed designated premises supervisor

Address of proposed designated premises supervisor

Personal licence number of proposed designated premises supervisor, if any, and issuing authority of the personal licence, if applicable

Please tick ✓

Yes

- I enclose the consent form completed by the proposed premises supervisor
- I will give a copy of Part B3 of this application to the chief officer of police (section 37 of the Licensing Act 2003)
- I have sent copies of this application to vary (except Part B3) to responsible authorities and others where applicable (section 34 of the Licensing Act 2003)
- I understand that I must now advertise my application to vary (section 34 of the Licensing Act 2003)
- I understand that if I do not comply with the above requirements my application will be rejected

Part B4 – Signatures (please read guidance note 16)

Signature of applicant (the proposed current premises licence holder) or applicant’s solicitor or other duly authorised agent. (See guidance note 17) **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date.....

Capacity

.....

Where the premises licence is jointly held signature of 2nd applicant (the proposed current premises licence holder) or 2nd applicant’s solicitor or other authorised agent. (please read guidance note 18) **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date.....

Capacity

.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 19)

.....

Post town

Post code

Notes for Guidance

PART A

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you provide a place for consumption of these off-supplies you must include a description of where the place is and its proximity to the premises.
2. Where the conditions to which your existing licence(s) is granted do not relate solely to any one of the four licensing objectives, please describe such conditions in the general box.
3. The law requires you to send a mandatory copy of this application to the chief officer of police for that area at the same time as sending to the relevant licensing authority.
4. The application form must be signed.

5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
7. This is the address we shall use to correspond with you about this application.

PART B

This application cannot be used to vary the licence to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act.

8. Please give timings in 24 hour clock and only give details for days of the week when you intend the premises to be used for the activity.
9. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
10. 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.
11. For example (but not exclusively), where the activity will occur on additional days during the summer.
12. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
13. 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.
14. Please give information about anything 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, the presence of gambling machines.
15. Please list here steps you will take to promote all four licensing objectives together.
16. The application form must be signed.
17. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
18. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
19. This is the address which we shall use to correspond with you about this application.

SCHEDULE 2

article 2

FORM OF CONSENT GIVEN BY THE PERSON WHOM THE APPLICANT
WISHES TO BE THE PREMISES SUPERVISOR

I, [insert first names and surname of prospective premises supervisor] hereby consents to being named as the premises supervisor in a new licence granted under paragraph 4 of Schedule 8 to the Licensing Act 2003 to [insert full name of applicant] in respect of the application to convert an existing justices' licence held by the applicant/where the holder of the licence has consented to the application being made by the applicant [delete as applicable] for [insert name and address of existing licensed premises] if that application is successful.

Signed

Dated

SCHEDULE 3

article 2

FORM OF CONSENT GIVEN BY THE PERSON WHO HOLDS THE EXISTING
LICENCE

I/We, [insert full name(s) of existing licence holder(s)], being the holder of an existing licence/existing licences [insert name of licence(s), the date of grant of the licence(s) and by whom the grant(s) was/were made] hereby consent(s) to the application by [insert full name or names of applicant] under paragraph 2 of Schedule 8 to the Licensing Act 2003 for the grant of a new licence under paragraph 4 of that Schedule to succeed the said existing licence(s) held by me in respect of [insert name and address of premises].

Signed

Dated

(Part A) Application for an existing club certificate to be converted to a club premises certificate under the Licensing Act 2003 and (Part B) application to vary the club premises certificate simultaneously

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.

We apply to convert an existing club certificate to a club premises certificate under Schedule 8 to the Licensing Act 2003 for the club premises described in Part A1 below
[insert name of club]

Part A1 – Premises Details

Postal address of club premises or, if none, ordnance survey map reference or description	
Post town	Post code

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)	
E-mail address (optional)	

Telephone number of premises (if any)

--

Non-domestic rateable value of club premises

£

Part A2 – Club Operating Schedule

General description of club premises (please read guidance note 1)

Where 5,000 or more people attend the club premises at the same time, please state the number

What existing qualifying club activities are authorised by your existing club certificate(s)?

Please tick ✓ Yes

Provision of entertainment

- a) plays
- b) films
- c) indoor sporting events
- d) boxing or wrestling entertainment
- e) live music
- f) recorded music
- g) a performance of dance
- h) anything of a similar description to that falling within (e), (f) or (g)

Provision of entertainment facilities for:

- i) making music
- j) dancing
- k) entertainment of a similar description to that falling within (i) or (j)

Supply of alcohol for members and guests

- a) for consumption on the premises
- b) for consumption off the premises

State any limitations on the hours during which you are permitted by your certificate(s) or any additional authorisations to conduct club qualifying activities, including the supply of alcohol.

Describe the conditions subject to which your existing certificate(s) has/have been granted (please read guidance note 2):

a) General – all four licensing objectives (b,c,d,e)

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Please tick ✓ Yes

- I have made or enclosed payment of the fee
- I have enclosed the existing certificate(s) or a certified copy of each certificate
- I have enclosed a plan of the club premises
- I have enclosed a copy of the club rules
- I have sent copies of this application to the chief officer of police (please read guidance note 3)
- I understand that if I do not comply with the above requirements my application will be rejected

<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>
<input type="checkbox"/>

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part A3 – Signatures (please read guidance note 4)

Signature for and on behalf of [insert name of club]. (Please read guidance note 5)

Signature

.....

Date.....

.....

Capacity

.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 16)	
Post town	Post code

IF YOU WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE CLUB PREMISES CERTIFICATE IF IT IS CONVERTED FROM YOUR EXISTING CLUB CERTIFICATE(S) UNDER SECTION 84 OF THE LICENSING ACT 2003, NOW COMPLETE PART B OF THIS FORM.

IF YOU DO NOT WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE CLUB PREMISES CERTIFICATE IF IT IS CONVERTED FROM YOUR EXISTING CLUB CERTIFICATE(S), YOU SHOULD LEAVE PART B BLANK.

PART B - Application to vary a club premises certificate under the Licensing Act 2003

..... being the proposed club premises certificate holder of an
[insert name of club]
existing club certificate to be converted under the terms of Schedule 8 to the Licensing Act 2003 apply to vary it under section 84 of the Licensing Act 2003 for the premises described in Part A above.

Part B1 - Variation

Do you want the proposed variation to have effect from the second appointed day? Please tick ✓

If not when do you want the variation to take effect from

Day	Month	Year

Please describe briefly the nature of the proposed variation (please read guidance note 1)

If your proposed variation would mean that 5,000 or more people are expected to attend the club premises at the same time, please state the number expected to attend

Part B2 – Club Operating Schedule

Please complete those parts of the club operating schedule which would be subject to change if this application to vary were successful.

What club qualifying activities do you now intend to conduct on the club premises and/or at what varied times do you intend to conduct them ?

(please see section 1 of the Licensing Act 2003 and Schedule 1 to the Licensing Act 2003)

Please tick ✓
Yes

Provision of regulated entertainment

- 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)

Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j)
(if ticking yes, fill in box K)

Supply of alcohol (if ticking yes, fill in box L)

- a) the supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- b) 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

IN ALL CASES PLEASE COMPLETE BOXES M, N AND O

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick [✓] (please read guidance note 7)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 8)	Both		
Tue						
Wed				State any seasonal variations for performing plays (please read guidance note 9)		
Thur						
Fri						
Sat				Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 10)		
Sun						

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick [✓] (please read guidance note 7)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 8)	Both		
Tue						
Wed				State any seasonal variations for the exhibition of films (please read guidance note 9)		
Thur						
Fri						
Sat				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 (please read guidance note 10)		
Sun						

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 8)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 9)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 10)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or out doors or both – please tick [✓] (please read guidance note 7)	
Day	Start	Finish	Indoors	
Mon			Outdoors	
Tue			Both	
Wed				
Thur				
Fri				
Sat				
Sun				

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or out doors or both – please tick [✓] (please read guidance note 7)	
Day	Start	Finish	Indoors	
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				

E

Live music Standard timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick [✓] (please read guidance note 7)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 8)	Both		
Tue						
Wed				State any seasonal variations for the performance of live music (please read guidance note 9)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 10)		
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick [✓] (please read guidance note 7)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 8)	Both		
Tue						
Wed				State any seasonal variations for playing recorded music (please read guidance note 9)		
Thur						
Fri				Non standard timings. Where you intend 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 10)		
Sat						
Sun						

G

Performance of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick [✓] (please read guidance note 7)	Indoors		
Day	Start	Finish		Outdoors		
Mon				Both		
Tue						
Wed				Please give further details here (please read guidance note 8)		
Thur						
Fri				State any seasonal variations for the performance of dance (please read guidance note 9)		
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing			
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick [✓] (please read guidance note 7)	Indoors		
Mon					Outdoors	
Tue			Both			
Wed			Please give further details here (please read guidance note 8)			
Thur						
Fri			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 9)			
Sat						
Sun			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 10)			

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing		
			Will the facilities for making music be indoors or outdoors or both – please tick [✓] (please read guidance note 7)	Indoors	
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 8)		
Mon					
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			State any seasonal variations for the provision of facilities for making music (please read guidance note 9)		
			Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 10)		

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick [✓] (see guidance note 7)		Indoors	
				Outdoors		
				Both		
Day	Start	Finish		Please give further details here (please read guidance note 8)		
Mon						
Tue						
Wed						
Thur						
Fri						
Sat						
Sun						
			State any seasonal variations for providing dancing facilities (please read guidance note 9)			
			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 10)			

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick [✓] (please read guidance note 7)	Indoors
Mon				Outdoors
				Both
Tue			Please give further details here (please read guidance note 8)	
Wed				
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j (please read guidance note 9)	
Fri				
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list (please read guidance note 10)	
Sun				

L

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption	
			(please tick [✓] box Please read guidance note 11)	On the premises
				Off the premises
				Both
Day	Start	Finish	State any proposed seasonal variations for the supply of alcohol (please read guidance note 9)	
Mon				
Tue			Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 10)	
Wed				
Thur				
Fri				
Sat				
Sun				

M

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the club premises that may give rise to concern in respect of children (please read guidance note 12)

N

Please identify any of the conditions, terms or restrictions currently imposed on the converted certificate which the club believes could be removed as a consequence of the proposed variation it is seeking

Please describe any additional steps that you intend to take in order to promote the four licensing objectives if the proposed variation is granted:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 13)

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Please tick ✓ Yes

- I have sent copies of this application to vary to responsible authorities and others where applicable
- I understand that I must now advertise my application to vary
- I understand that if I do not comply with the above requirements my application to vary will be rejected

Part B3 – Signatures (please read guidance note 4)

Signature for and on behalf of [insert name of club]. (See guidance note 15)

Signature

.....

Date

.....

Capacity

.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 16)

Post town

Post code

Notes for Guidance

PART A

1. Describe the premises. For example the type of premises, 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 place for consumption of these off-supplies you must include a description of where the place is and its proximity to the premises.
2. Where the conditions to which your existing certificate(s) is granted do not relate solely to any one of the four licensing objectives, please describe such conditions in the general box.
3. The law requires you to send a mandatory copy of this application to the chief officer of police for that area at the same time as sending to the local licensing authority.
4. The application form must be signed.
5. A club's agent (for example, solicitor) may sign the form on its behalf provided that they have actual authority to do so.

PART B

This application cannot be used to vary the club premises certificate to vary substantially the premises to which it relates. If you wish to make that type of change to the club premises certificate you should make a new club premises certificate application under the Licensing Act 2003.

6. Please give timings in 24 hour clock.
7. Where taking place in a building or other structure, please tick as appropriate. Indoors may include a tent.
8. 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.
9. For example (but not exclusively), where the activity will occur on additional days during the summer months
10. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
11. 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.
12. Please give information about anything 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, the presence of gambling machines.

13. Please list here steps you will take to promote all four licensing objectives together.
14. The application form must be signed.
15. A club's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
16. This is the address which we shall use to correspond with you about this application.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order makes provision for the detailed requirements to be fulfilled by applicants to convert existing authorisations to use premises for the sale and supply of alcohol, the provision of regulated entertainment and the provision of late night refreshment to new premises licences under Schedule 8 to the Licensing Act 2003 (c. 17) (the Act). Also, it makes provision for the detailed requirements to be fulfilled by a registered club under the Licensing Act 1964 (c. 26) (the 1964 Act) to convert authorisations under its existing registration certificate to a new club premises certificate under Schedule 8 to the Act. In both cases the Order prescribes the application form to be used by the applicant or club, the information to be supplied and the plan to accompany the application. Further it prescribes the form to be used in relation to a simultaneous application to vary any existing authorisations (articles 2, 3, 7 and 8). The Order requires the relevant licensing authority to provide application forms etc. for applicants and clubs on request and provides a discretion to provide these on its website (article 11).

Further, for the purposes of paragraphs 6(8) and 18(5) of Schedule 8 to the Act, this Order specifies the Children and Young Persons Act 1933 (c. 12), the Cinematograph (Safety) Regulations 1955 (S.I. 1955/1129), the Licensing Act 1964 (c. 26) and the Sporting Events (Control of Alcohol Etc) Act 1985 (c. 57) as enactments containing restrictions affecting existing authorisations which must be imposed as conditions on the new premises licence and the new club premises certificate (articles 4 and 9).

Further, for the purposes of paragraph 11 of Schedule 8 to the Act in respect of opening hours of premises, the Order specifies the period commencing on 7th February 2005 and ending on the second appointed day as the period during which a relevant licensing authority may not grant a premises licence subject to conditions which prevent the sale of alcohol on the premises during the permitted hours (subject to a minor disapplication); such hours being the hours during which the holder of a justices' licence is permitted to sell alcohol on the premises under Part 3 of the 1964 Act (article 5). In addition, for the purposes of paragraph 12 of Schedule 8 to the Act in respect of a provisional grant of a justices' licence under the 1964 Act, this Order specifies the period commencing on 7th February 2005 and ending on the first anniversary of the second appointed day as the period during which the relevant licensing authority must have regard to that provisional grant when determining an application for the grant of a premises licence under Part 3 of the Act (article 6).

Finally, for the purposes of an application for a personal licence under Part 6 of the Act made by the holder of a justices' licence and for the purposes of paragraph 23 of Schedule 8 to the Act, the Order details the requirements in respect of a photograph to accompany the application (article 10).

Regulatory Impact Assessment in relation to this Order has been placed in the libraries of both Houses of Parliament and copies may be obtained from the Alcohol and Entertainment Licensing Branch of the Department for Culture, Media and Sport, 3rd Floor, 2-4 Cockspur Street, London SW1Y 5DH or viewed on the Department's website, www.culture.gov.uk.