Vary a Premises Licence Application Guidance

This guidance is intended for individuals wishing to vary an existing Premise Licence at a premise within Cheshire East.

A Premises Licence is a single licence combining permissions for the sale of alcohol by retail, the provision of regulated entertainment and the provision of late night refreshment.

A Premises Licence, once granted lasts forever, unless surrendered, suspended, revoked or declared forfeited by the courts, or where the applicant requests that the licence expires on a certain date.

If you require any further information please contact us:

If you require any help or further information please contact the Council's Customer Service Contact Centre on 0300 123 5015 or via email licensing@cheshireeast.gov.uk

What is a premise?

The Act defines premises as any vehicle, vessel, moveable structure or any place or a part of any premises. This includes buildings, green space, tents, temporary structures, gardens, boats and ships and other locations.

What are the ‘licensable activities’ covered by a Premises Licence?

- the sale of alcohol by retail

Regulated entertainment including:

- the performance of a play
- an exhibition of a film
- an indoor sporting event
- a boxing or wrestling match (indoor or outdoors)
- any playing of recorded music*
- the performance of dance*
- the performance of live music*
- entertainment of a similar description to that marked *

Late night refreshment where:

- at any time between the hours of 11pm and 5am where hot food or drinks is supplied to members of the public for consumption on or off the premises.
What do I need to apply?

You must submit these items:

- a completed application form
- a plan of the premises in the specified form
- the application fee

You must also:

- send copies or your application and supporting documents to the responsible authorities
- Advertise the application

If your application is incomplete then we will reject it.

What is the specified format for plans?

Plans, for written and electronic applications, will not be required to be submitted in any particular scale, but they must be in a format which is clear and legible in all material respects, i.e. they must be accessible and provide sufficient detail for the licensing authority to be able to determine the application, including the relative size of any features relevant to the application. There is no requirement for plans to be professionally drawn as long as they clearly show all the prescribed information, i.e.

- 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
- the location of points of access to and egress from the premises
- if different from above, the location of fire escape routes from the premises
- In a case where the premises is to be used for more than one licensable activity, the area within the premises where each activity will take place
- 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
- 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
- In a case where the premises includes any steps, stairs, elevators or lifts, the location of these
- In a case where the premises includes any room(s) containing public conveniences, the location of these
- The location and type of any fire safety and any other safety equipment including if applicable marine safety equipment
- The location of a kitchen, if any, on the premises

The plan can include a key to sufficiently illustrate the above by using symbols on the plan.
What are the licence fees?

Please refer to the separate sheet for the Licensing Act 2003 fees.

How do I have to advertise my application?

WITHIN 1 DAY of us receiving your application, a notice must be displayed on the premises for not less than 28 consecutive days starting on the day after the day you applied, by displaying a notice:

- Prominently at or on the premises to which the application relates to, where it can be conveniently read from the exterior of the premises
- Which is of a size equal to or larger than A4
- Of a pale blue colour
- Printed legibly in black ink or typed in black in a font equal to or larger than 16

If the premises covers an area of more than fifty metres squared, the notice must be repeated every fifty meters along the external perimeter of the premises abutting any highway.

WITHIN 10 DAYS of us receiving your application, a notice must be placed in a local newspaper (by the applicant), or similar document, circulating in the vicinity of the premises. Adverts placed by applicants solely online are not acceptable to meet the advertising requirements. **It is your responsibility to provide the authority with a copy of the advertisement showing the date of publication.**

ALL NOTICES shall briefly describe the proposed variation and in all cases, shall state:

- The name of the applicant
- The postal address of the premises
- The date by which any interested party or responsible authority may make representations to the relevant licensing authority
- That the application can be viewed by appointment at (see below)
- That representations must be made in writing to: the relevant Licensing office listed below
- That it is an offence to 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.

Where do I apply?

Cheshire East Borough Council Licensing at one of the Customer Service Contact Centres at either Delamere House, Crewe or Macclesfield Town Hall, by post to Cheshire East Council Licensing Section, Municipal Buildings, Earle Street, Crewe, CW1 2BJ or on-line.

What happens after I apply?

Responsible authorities and interested parties can make relevant representations about your application in the 28 days after you apply.
Representations will only be recognised from interested parties if they are not frivolous, vexatious or repetitive.

*If a relevant representation is received:*

You will be entitled to a hearing before the licensing sub committee within 20 working days, starting at the end of the consultation period.

*If not representations are received:*

Your Premises licence will be issued.

**What can I do if my application is refused?**

You have a right to appeal against that decision at court.

**Where can I find more information?**

Cheshire East Borough Council website: [www.cheshireeast.gov.uk](http://www.cheshireeast.gov.uk)
Department of Culture, Media and Sport website: [www.culture.gov.uk](http://www.culture.gov.uk)