



## 2021 CHAPTER 7

### PART 2

#### REGISTRATION OF CLUBS

##### *Alterations to premises*

##### **Consent required for alterations to premises**

**29.—**(1) After Article 12 of the Registration of Clubs Order insert—

##### *“Alterations to club premises*

##### **Consent required for certain alterations to premises**

**12A.—**(1) An alteration shall not, subject to paragraph (2), be made to the premises of a registered club if the alteration—

- (a) gives increased facilities for drinking in any part of the premises which contains a bar; or
- (b) adds to any part of the premises which contains a bar or substitutes one such part of the premises for another; or
- (c) conceals from observation a part of the premises in which intoxicating liquor is supplied; or
- (d) affects the means of passage between a part of the premises which contains a bar and the remainder of the premises or any road or other public place.

(2) An alteration such as is mentioned in paragraph (1) may be made if—

- (a) an application under this Article has been made by the secretary of the club to a county court and the court has made an order consenting to the alteration; or
  - (b) the alteration is required by order of some lawful authority and, before the alteration is made, notice of the requirement is served by the secretary of the club on the clerk of petty sessions.
- (3) The procedure for applications under paragraph (2)(a) is set out in Part 1 of Schedule 4A, and Part 2 of that Schedule has effect in relation to notices under paragraph (2)(b).
- (4) If an alteration such as is mentioned in paragraph (1) is made to premises otherwise than in accordance with an order of the county court or an order of some lawful authority, a court of summary jurisdiction may order the registered club to restore, as far as is practicable, the premises to their original condition within a period fixed by the order.
- (5) The period fixed by an order under paragraph (4) may be extended by order of a court of summary jurisdiction on the application of the secretary of the club.
- (6) If paragraph (2)(b) is not complied with, the registered club and every official of the club are each guilty of an offence and each liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (7) If the registered club makes default in complying with an order under paragraph (4), the club and every official of the club are each guilty of an offence and each liable on summary conviction to a fine not exceeding level 5 on the standard scale or to imprisonment for a term not exceeding 6 months or to both.
- (8) This Article does not apply to an extension such as requires authorisation under Article 15A.”.
- (2) After Schedule 4 to the Registration of Clubs Order insert—

“SCHEDULE 4A

APPLICATIONS AND NOTICES UNDER ARTICLE 12A

PART 1

APPLICATIONS FOR CONSENT TO ALTERATIONS

1. In this Part “application” means an application under Article 12A(2)(a).
2. The secretary of a club which intends to make an application must, not less than 3 weeks before the time of the opening of the court sitting at which the application is to be made, serve notice of the application upon the chief clerk and at the same time serve a copy of the notice upon—

- (a) the district commander for the police district in which the premises of the club are situated; and
  - (b) the person whose name is recorded in the register of clubs as the owner of the premises of the club.
- 3. The notice mentioned in paragraph 2 must be in such form and, without prejudice to paragraph 4, must contain such other information as may be prescribed by county court rules.
- 4. The applicant must attach a plan of the premises showing the alteration to—
  - (a) the notice mentioned in paragraph 2, and
  - (b) the copy of that notice which is served upon the district commander.
- 5. The district commander upon whom notice is required by paragraph 2 to be served or the person whose name is recorded in the register of clubs as the owner of the premises of the club may appear at the hearing of the application and object to the court consenting to the alteration to which the application relates.
- 6. A person intending to object under paragraph 5 must, not less than 1 week before the time of the opening of the court sitting at which the application is to be made—
  - (a) serve upon the applicant notice of the intention to object, briefly stating the grounds for so doing;
  - (b) serve a copy of the notice upon the chief clerk.

## PART 2

### NOTICES OF ALTERATIONS REQUIRED BY AUTHORITIES

- 7. The notice must be in such form and, without prejudice to paragraph 8, must contain such other information as may be prescribed by magistrates' courts rules.
- 8.—(1) The secretary of the club must attach to the notice a plan of the premises showing the proposed alterations.
  - (2) The alterations shown in the plan mentioned in sub-paragraph (1) must be authenticated by or on behalf of the authority in question in the manner prescribed by magistrates' courts rules."
  - (3) In Article 16 of the Registration of Clubs Order (register of clubs), in paragraph (2), after paragraph (d) insert—
    - "(da) particulars of any order made under Article 12A(2)(a), (4) or (5) in respect of the premises of the club and of any requirement in respect of those premises notice of which is served under Article 12A(2)(b);"
  - (4) In Part 3 of Schedule 6 to that Order (penalty points for offences punishable with level 5 fine) at the appropriate place insert—

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| “12A(7) | Failure to comply with court order to make alterations etc. | 5-6” |
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