



LICENSING ACT 2003

GUIDANCE NOTES

CLUB PREMISES CERTIFICATES

This guidance note is intended as general guidance only and is not a substitute for detailed advice on specific circumstances. For the avoidance of any doubt you should seek your own independent advice on any matter on which you are unclear.



Club Premises Certificate

The Licensing Act 2003 recognises that volunteer and social clubs give rise to different issues for licensing law than commercially run premises selling direct to the public. These clubs (such as the Royal British Legion, working men's or cricket or rugby clubs) are organisations where members join together for a particular social, sporting or political purpose and then combine to purchase alcohol in bulk for its members. The clubs carry on activities from premises to which public access is restricted and alcohol is supplied other than for profit.

For these reasons the 2003 Act recognises that clubs deserve special treatment outside the normal premises licence arrangements.

The grant of a club premises certificate means that a club is entitled to certain benefits, which include the authority to supply alcohol to its members and sell it to guests without the need for any member or employee to hold a personal licence, and the absence of a requirement to specify a designated premises supervisor.

There are also more limited rights of entry for the Police and other authorised persons, as the premises are considered private and not generally open to the public.

Definition of a Qualifying Club

To be classified as a qualifying club in relation to a qualifying club activity, a number of general conditions must be met:

- There must be an interval of at least two days between a member's nomination/application for membership and their admission;
- The club must be established and conducted in 'good faith' (this involves consideration of details such as club finances);
- That the club has at least 25 members;
- That alcohol is not supplied or intended to be supplied to members on the premises otherwise than by or on behalf of the club itself.

What if my club does not meet the requirements?

If a club does not meet the conditions to be classified as a qualifying club, it must apply for a premises licence. It is for the club to determine whether the activities it wishes to undertake would be better served by a premises licence. In some circumstances, a qualifying club may decide that it wishes to have both types of authorisation.

The Application Process

An application for a club premises certificate must be made to the licensing authority for the area in which the premises exist. To make an application, the following must be submitted:

- A completed application form;
- An operating schedule;

This guidance note is intended as general guidance only and is not a substitute for detailed advice on specific circumstances. For the avoidance of any doubt you should seek your own independent advice on any matter on which you are unclear.



- A plan of the premises;
- A copy of the club's rules;
- The prescribed fee.

The applicant must also ensure that copies are submitted to responsible authorities which are:

- The Police;
- The Fire Authority;
- Health and Safety;
- Environmental Protection;
- Social Services;
- The Planning Department.

See list for contact details.

What is an operating schedule?

The operating schedule is a document which the applicant sets out various details on how the club is proposed to operate when carrying on licensable activities. It must include the following information:

- The qualifying club activities to which the application relates;
- The proposed hours that the relevant licensable activities are to take place;
- Any other times that the premises are to be open to the public;
- Where alcohol is to be supplied, whether the supplies are proposed to be for consumption on and/or off premises;
- A statement of the steps the applicant proposes to take to promote the licensing objectives;
- Where the licence is for a limited period, that period.

The significance of the operating schedule is that if the application for the club premises certificate is granted, it will be incorporated into the licence itself and will set out the permitted activities and the limitations on them.

Advertising Applications

All applicants must publicise their applications to bring the matter to the attention of interested parties.

To publicise the application, the applicant must clearly display an A4 size Notice immediately on or outside the premises for a 28-day period during which time interested parties may make representations. The Notice should clearly display a brief summary of the application setting out matters such as the proposed licensable activities and the proposed hours of opening, together with information about where the details of the application may be viewed. Also applicants are required to publish the same details in a local paper within 10 days of applying

This guidance note is intended as general guidance only and is not a substitute for detailed advice on specific circumstances. For the avoidance of any doubt you should seek your own independent advice on any matter on which you are unclear.



**LICENSING ACT 2003
NOTICE OF APPLICATION FOR A CLUB PREMISES CERTIFICATE**

Notice is hereby given that (a).....

has / have applied to the Licensing Authority of London Borough of Haringey for a Club Premises Certificate to permit:

(b).....
.....
.....

for the premises (c).....

Situated at (d).....
.....

A register of licensing applications can be inspected at Licensing Team, Enforcement Service, Technopark, Ashley Road, London, N17 9LN.

Any person wishing to submit relevant representations concerning this application must give notice in writing to the London Borough of Haringey, Licensing team at the above address, giving in detail the grounds of the representation no later than:

(e)...../...../200.....

The Council will not entertain representations where the writer requests that his identify remains anonymous. Copies of all representations will be included in the papers presented to the Licensing Authorities Sub Committee and will therefore pass into the public domain.

Representations must relate to one or more of the four Licensing Objectives: the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

It is an offence liable on conviction to a fine up to £5000 under section 158 of the Licensing Act 2003 knowingly or recklessly to make a false statement in connection with an application.

Dated this.....day of.....200.....

Signed.....

Notes: (a) full name of applicant/club: (b) brief description of licensable activities and times (c) name of premises: (d) full postal address of premises: (e) the last date for representation should be written in the format dd/mm/yyyy and calculated as 28days from the date on which the notice is displayed.

Representations

This guidance note is intended as general guidance only and is not a substitute for detailed advice on specific circumstances. For the avoidance of any doubt you should seek your own independent advice on any matter on which you are unclear.



Hearings on an application will only occur where objections or representations from interested parties or responsible authorities are received.

Where no objections or relevant representations are made by responsible authorities or interested parties the licensing authority must grant the licence application subject only to the mandatory conditions and such other conditions as are consistent with the operating schedule.

If relevant representations are received, the licensing authority must hold a hearing and consider the representations. This may result in:

- The rejection of the application; or
- The attachment of conditions to the licence if this is necessary for the promotion of one or more of the licensing objectives; or
- The exclusion of a licensable activity.

If there are complaints or the Police close the premises, the licensing authority will review the licence and hold a hearing to consider whether to amend the licence or any conditions.

Variations to a Licence

A club premises certificate holder may apply to the licensing authority to vary their licence. Variations could include the opening times of the premises, or even changes to the physical shape of the premises covered by the licence. More probably, it will relate to the licensable activities of the licence or conditions attached to the licence.

For more information, please see the Haringey Council's leaflet: ***Variations, Representations and Appeals for Premises Licences and Club Premises Certificates.***



Contacts

Licensing

Licensing Team
Enforcement Service
Lee Valley Technopark
Ashley Road
London
N17 9LN
Tel: 020 8489 8232
Fax: 020 8489 5528

Police

Metropolitan Police Service
Quicksilver Patrol Base
Unit 1
Quicksilver Place
Western Road
Wood Green, N22 6UH
Tel: 0203 276 0150

Fire Department

LPEPA
Fire Safety Regulation: North West Area
London Fire Brigade
169 Union Street
London
SE1 0LL
Tel: 020 8555 1200, ext 53252

Social Services Contact

Insp. Chris Thorpe
Metropolitan Police Service
Quicksilver Patrol Base
Unit 1
Quicksilver Place
Western Road
Wood Green, N22 6UH
Tel: 0203 276 0150

Planning

Planning Enforcement
Environmental Services
639 High Road
Tottenham
London
N17 8BD
Tel: 020 8489 5508
Fax: 020 8489 5220
Email: development.control@haringey.gov.uk

Health and Safety

Commercial and Environmental Protection Group
Enforcement Service
Lee Valley Technopark
Ashley Road
Tottenham
N17 9LN
Tel: 020 8489 5558
Fax: 020 8489 5528

This guidance note is intended as general guidance only and is not a substitute for detailed advice on specific circumstances. For the avoidance of any doubt you should seek your own independent advice on any matter on which you are unclear.