

The Licensing Act 2003

Guidance notes for Club Premises

To apply for a new Club Premises Certificate you will need to complete an application form, which is available from us, or can be downloaded from our website www.molevalley.gov.uk. This form must be submitted to the Council with a club operating schedule, a premises plan, a copy of the rules of the club, and the appropriate fee.

You will qualify as a club if the conditions set out in section 61 of the act are met, these include;

- Only members or candidates for membership are admitted,
- That the club has at least 25 members,
- That the club is established in good faith,
- Alcohol is not supplied by anyone other than the club or on their behalf.

Additional conditions for the supply of alcohol;

- The supply of alcohol is managed by a committee
- Who are members of the club
- The members must be over 18
- And are elected by the members of the club
- No person is to make any profit either directly or indirectly from the supply of alcohol.

Unlike other premises licences, club premises do not require a designated premises supervisor and a personal licence holder to be responsible for the premises and the sale of alcohol.

The Act specifies that applications have to comply with four licensing objectives:

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

The Council's Licensing Policy promotes these objectives, and its contents must be considered by every applicant for a premises licence.

Applying for your premises licence

The information in this leaflet will give some general guidance on your application. The Council will do all that it can to assist with applications. However, specific guidance on every application may not be possible. Professional advice should be sought if you have any doubt and for complicated applications.

The applicant must be over 18. The application form will guide you through the information that you need to supply.

To request your club activities in any way e.g. later opening, live entertainment or late night food, you will need to specify this on the operating schedule. You will also need to advertise the application in the local press at least once within ten working days, from the day after the applications submitted to the Council. You are also required to display a notice near to the club for no less than 28 days starting on the day after the application was submitted to the council. The notice needs to be at least A4 or larger, a pale blue colour and printed legibly in black ink or typed in black equal to or larger than font size 16. The notice needs to be placed prominently at or on the premises, which the application relates to and where it can be conveniently read from the exterior of the premises. This will enable persons in the vicinity that may be effected by your proposals to object.

Other statutory consultees will also have the right to object on the grounds that it would be contrary to the licensing objectives. These include the Police, Fire, Environmental Protection, Health & Safety, and child welfare representatives. For example, the Fire service may object if there is not a current fire safety certificate in force for the premises. The police may object if there have been disorder and or criminal activities recorded at your premises. If there is an objection by any of the above your application will have to be heard by a licensing sub committee. They will determine whether your application is acceptable, or if necessary amend or impose conditions on your activities. You have the right to appeal against any decision they make to the Magistrates Court.

If there are no objections and the application conforms to the licensing objectives you will get your licence, which will state what you are allowed to do on your premises. It will be an offence to do anything else that is not specified on the licence. The licence will have to be displayed on the premises.

If you wish to change your operating schedule at a future date, this can be done by applying to the Council to vary your licence.

Club Operating schedule

The operating schedule is potentially the most complicated part of the application process. Once you have decided what you want to do on your premises it will have to be detailed in the operating schedule. You will need to specify your opening hours, what licensable activities you intend to conduct during those opening hours, any special occasions or events that you may wish to hold regularly, and if you intend serving food after 11:00 pm and before 5:00 am. (See separate guidance leaflet for late night refreshments).

This could mean that you could specify certain activities on certain days and at certain times. For example you may wish to have an extension to your hours of opening on Friday and Saturday nights when you have a karaoke evening. Or you may wish to hold a dancing contest on Thursday afternoons. This is possible in the new licence; one licence will cover all activities.

Plans

The plans of your premises must be submitted with your application. They must be at a scale of 1:100, clearly show the boundary, the area where the licensable activities are to take

place, fire escapes, fire-fighting equipment and all other detail as specified in regulation 23 to the act.

Fees

These are based on the non domestic rateable value of your premises. For full details of all of the various charges please see the table of fees on the Licensing Act 2003 page on the councils website.

Contact details

For further information or advice please contact the licensing team:

Environmental Health & Housing
Licensing Section
Mole Valley District Council
Pippbrook
Dorking
Surrey RH4 1SJ

Tel: 01306 879351
Email: licensing@molevalley.gov.uk
Fax: 01306 879329

Web site: www.molevalley.gov.uk

This leaflet is produced as a guide and should not be considered authoritative. For further information regarding your application you should refer to the Licensing Act 2003, the Section 182 guidance issued by the Secretary of State and Mole Valley District Council's Licensing Policy. These documents will give you specific and detailed information as to what is expected and can all be viewed via the Councils web site..