

Report No.  
ES20323

London Borough of Bromley

PART ONE - PUBLIC

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**Decision Maker:** LICENSING SUB-COMMITTEE

**Date:** 26<sup>th</sup> October 2023

**Decision Type:** Non-Urgent                      Non-Executive                      Non-Key

**Title:** APPLICATION FOR A VARIATION TO CLUB PREMISES  
CERTIFICATE AT WICKHAM PARK SPORTS CLUB  
PICKHURST RISE WEST WICKHAM BR4 0AU

**Contact Officer:** Steve Phillips, Nuisance, ASB, Health & Safety and Licensing Manager  
Tel: 020 8313 4659    E-mail: steve.phillips@bromley.gov.uk

**Chief Officer:** Colin Brand Director: Environment and Community Services

**Ward:** West Wickham

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1. Reason for report

1.1 To provide the Licensing Sub-Committee with information supporting them to determine this licence application.

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2. **RECOMMENDATIONS**

2.1 **The Licensing Sub-Committee is asked to determine this application having taken into account the Council's Statement of Licensing Policy 2021 to 2026 and written and oral representations by the applicant and objectors.**

**Members can**

1. **Grant the variation to the certificate**
2. **Grant the variation to the certificate with the addition of conditions necessary to promote any of the licensing objectives**
3. **Exclude from the scope of the certificate any of the licensable activities to which the application relates**
4. **Reject the application**

Impact on Vulnerable Adults and Children

1. Summary of Impact:

When making decisions under the Licensing Act 2003 the Council is required to promote the licensing objectives, one of which is the protection of children from harm.

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Corporate Policy

1. Policy Status: Existing Policy:

The Council has adopted a statement of its licensing policy under the Licensing Act 2003 for the period 2021 to 2026.

2. BBB Priority: Children and Young People Excellent Council Quality Environment Safe Bromley Vibrant, Thriving Town Centres Healthy Bromley Regeneration

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Financial

1. Cost of proposal: Licensing statutes allow for an appeal to the Magistrates Court against the Council's decision. Should an appeal be made, costs are likely to be incurred but it is not possible to quantify these.
  2. Ongoing costs: Non-Recurring Cost
  3. Budget head/performance centre: Public Protection and Portfolio
  4. Total current budget for this head: £2.4M
  5. Source of funding: 2023/2024
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Personnel

1. Number of staff (current and additional): 1 Licensing Officer supported by 3.5 FTE admin
  2. If from existing staff resources, number of staff hours: A licensing application typically takes 7hrs professional officer time and 5hrs administration time.
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Legal

1. Legal Requirement: Statutory Requirement: The Council is the Licensing Authority for the Licensing Act 2003. This is a Non-Executive function and is delegated to the General Purposes and Licensing Committee. Where representations are received about a licence application, it is referred to the Licensing Sub Committee for a hearing and decision.
  2. Call-in: Not Applicable
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Procurement

1. Summary of Procurement Implications: Not applicable

Property

1. No property implications for this application/licence.
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Carbon Reduction and Social Value

1. Summary of Carbon Reduction/Sustainability Implications: There are no significant implications.
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Customer Impact

1. When considering and making a determination on this application Members need to balance the benefits of holding the licence against any adverse effects to the Public, Local Residents and Businesses by considering its impact against the licensing objectives
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Ward Councillor Views

1. Have Ward Councillors been asked for comments? **Yes**. Ward Members were notified about the application by email on 11<sup>th</sup> August 2023.
  2. Summary of Ward Councillors' comments: **No comments** were received from Ward Councillors regarding this application.
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Responsible Authorities Views

1. Have Responsible Authorities been asked for comments? **Yes**. They were notified about the application by email on 11<sup>th</sup> August 2023.
2. Summary of Responsible Authorities comments: 1 objection was received from the Bromley Safeguarding Children Partnership on the grounds of Protection of Children from Harm. Whilst the applicant agreed to additional conditions, the objection was not formally withdrawn.

These representations are contained within **Appendix 3**.

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Residents and interested parties

13 objections were received residents. These objections can be found in **Appendix 3**.

### 3. COMMENTARY

#### 3.1. Licensing Act 2003.

The Licensing Act 2003 states that any premises requires a licence/certificate issued by the Council (premises licence/club premises certificate) where the following activities occur:-

##### **Provision of regulated entertainment**

- a) Plays. (Where the audience exceeds 500 people)
- b) Films.
- c) Indoor sporting events. (Where the audience exceeds 1000 people)
- d) Boxing or wrestling entertainment.
- e) Live music. (subject to the Live Music Act 2013 exemptions)
- f) Recorded music.
- g) Performances of dance. (Where the audience exceeds 500 people)

##### **Provision of late-night refreshment (between 2300hrs and 0500hrs).**

Supply of alcohol (on and off sales).

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club.

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.

Licences/Certificates may be issued subject to any terms, conditions or restrictions the Council feels are appropriate to address any or all of the four licensing objectives.

The Council has previously agreed Bromley's Statement of Licensing Policy for the Period 2021 – 2026.

The Licensing Sub-Committee must consider the Statement of Licensing Policy and any Special Policy of Cumulative Impact currently in force when making any decisions in respect of these applications.

Members' attention is drawn to the following parts of the policy which are relevant to this application.

##### **Description of the Premises**

Description from website – *“We're a small friendly Sports Club ideally situated between the hamlets of West Wickham and Hayes in the London Borough of Bromley. We host a cricket club, tennis club, table tennis club and a football club. There is an active clubhouse with fully licensed bar and hall which also hosts a Kindergarten, (Bizzy Bees), Dance classes and monthly Jazz sessions. The Sports Sections play in competitive leagues as well as friendly games and we welcome all players, experienced or otherwise.”*

A satellite image and street view of the premises can be found in **Appendix 5**.

##### **Licensing History**

The sports club has held a Club Premises Certificate issued under the Licensing Act 2003 since August 2006. A copy of the current Club Premises Certificate can be found at **Appendix 2**.

##### **Details of the Application**

This is an application to vary the Club Premises Certificate to extend the permitted hours of licensable activities as per the table below.

Licensable Activity	Current Hours	Proposed Hours
Sale of alcohol	Mon – Thurs 20:00 – 23:00 Fri 19:00 – 23:00 Sat 12:00 – 23:00 Sun 12:00 – 22:30	Mon – Thurs 12:00 – 23:00 Fri – Sat 12:00 – 23:59 Sun 12:00 – 23:00
Indoor Sports	Mon – Thurs 19:30 – 23:00 Sun 09:00 – 12:00	Mon – Fri 17:00 – 23:00 Sun 09:00 – 17:00
Live Music	Fri 19:30 – 23:00 (Alternate Fridays) Sat 19:30 – 00:00 (Perhaps twice a year)	Fri 17:00 – 23:59 Sat 12:00 – 23:59 Sun 12:00 – 23:00
Recorded Music	Sat 19:30 – 00:00 Sun 16:00 – 18:00	Fri 17:00 – 23:59 Sat 12:00 – 23:59 Sun 12:00 – 23:00
Performance of Dance	Mon 15:30 – 17:30	Thurs 15:00 – 19:00 Sat 08:00 – 13:00
Late Night Refreshment	Not licensed on current Club Premises Certificate	Mon – Thurs 12:00 – 23:00 Fri – Sat 12:00 – 23:59 Sun 12:00 – 23:00
Opening Hours	Not specified on current Club Premises Certificate	Mon – Thurs 09:00 – 23:00 Fri – Sun 09:00 – 23:59

The application states *“Our previous license was granted in 2006 and is no longer practical for the club due to an increase in services we are able and willing to provide for club members and **the local community.**”*

The applicant was contacted and informed that under a Club Premises Certificate licensable activities can only be provided to club members and their guests and not the wider community. A response was received stating that services would only be provided to members and guests.

The applicant has also submitted a set of updated club rules. Rule 16 states *“The Hall and indoor facilities may only be hired out to a member of the club. In these instances, all guests attending the event may be supplied with intoxicating liquor for consumption on the premises in accordance with the Licensing Acts during the relevant event.”*

The revised Guidance issued under section 182 of the Licensing Act 2003 states “The 2003 Act does not prevent visitors to a qualifying club being supplied with alcohol as long as they are ‘guests’ of any member of the club and nothing in the 2003 Act prevents the admission of such people as guests without prior notice. The 2003 Act does not define “guest” and whether or not somebody is a genuine guest would in all cases be a question of fact.

There is no mandatory requirement under the 2003 Act for guests to be signed in by a member of the club. However, a point may be reached where a club is providing commercial services to the general public in a way that is contrary to its qualifying club status. It is at this point that the club would no longer be conducted in “good faith” and would no longer meet “general condition 3” for qualifying clubs in section 62 of the 2003 Act. Under the 2003 Act, the licensing authority must

decide when a club has ceased to operate in “good faith” and give the club a notice withdrawing the club premises certificate.”

Chapter 17 of the Licensing Act 2003 and Chapter 6 of the Revised Guidance issued under Section 182 of Licensing Act 2003 both pertaining to clubs can be found in **Appendix 6**.

A full copy of the application form and amended club rules can be found in **Appendix 1**.

## **Representations**

During the public consultation period the Council received a total of 15 representations, **14 in objection to the application** and **1 in support of the application**. 13 of the objections were from residents and 1 was from a Responsible Authority.

**Note:** The Police contacted the applicant directly and requested that a number of conditions were added to the licence, to which the applicant agreed. A full list of the additional conditions agreed with the police can be found at **Appendix 4**.

## **4. IMPACT ON VULNERABLE ADULTS AND CHILDREN**

- 4.1 Licensing regimes provide for additional controls through specific permissions to undertake activities. Both the Licensing Act 2003 and Gambling Act 2005 contain licensing objectives which seek to protect particular vulnerable groups. In the case of the Licensing Act 2003 it seeks to protect children from harm whereas the licensing objectives under the Gambling Act 2005 are wider and seek to protect children and vulnerable adults from being harmed or exploited.
- 4.2 Businesses and the Council are required to promote these objectives in the way they operate or make decisions.
- 4.3 Details of applications under both Acts are referred to the appropriate safeguarding teams for comment. In this instance an objection was received from the Bromley Safeguarding Children Partnership.

## **5. TRANSFORMATION / POLICY IMPLICATIONS**

- 5.1 Both the Licensing Act 2003 and the Gambling Act 2005 require the Council to prepare, consult on and publish statements of their licensing policy. These must be reviewed at least every 5 years under the Licensing Act and 3 years under the Gambling Act.
- 5.2 Members should make decisions in accordance with these policies but are free to depart from them with good reason.
- 5.3 The current policies are -
  - Statement of Licensing Policy 2021 - 2026
  - Statement of gambling policy 2022 - 2025

## **6. FINANCIAL IMPLICATIONS**

- 6.1 There are rights of Judicial Review and appeal to the Magistrates Court against the decision of the Sub-Committee under both the Licensing and Gambling Acts. If an appeal were to be lodged there are costs associated with defending it. These are difficult to quantify and the Courts can award costs. In the event of a successful appeal we could pay the costs of the appellant as well as our own. Equally if we successfully defended an appeal, it is open to the Court to order our costs to be paid by the appellant.

## **7. PERSONNEL IMPLICATIONS**

- 7.1 Number of staff (current and additional): 1 Licensing Officers supported by 3.5 FTE Administration Staff.
- 7.2 If from existing staff resources, number of staff hours: A licensing application typically takes 7hrs professional officer time and 5hrs administration time.

## **8. LEGAL IMPLICATIONS**

- 8.1 Any Parties involved in a hearing before a Sub-Committee can seek a Judicial Review if the Local Authority has failed to administer the hearing in accordance with proper procedures.
- 8.2 Any Party involved with the hearing before licensing subcommittee can appeal any decision made at that hearing to the magistrate's court.
- 8.3 The Council has adopted a procedure for the conduct of hearings.

## **9. PROCUREMENT IMPLICATIONS**

There are no procurement implications.

## **10. PROPERTY IMPLICATIONS**

There are no property implications.

## **11. CARBON REDUCTION/SOCIAL VALUE IMPLICATIONS**

There are neutral environmental and carbon reduction implications from the proposals contained in this report.

## **12. CUSTOMER IMPACT**

See para. 4 and 11 and Appendix 3 of this report.

## **13. WARD COUNCILLOR / OTHER STATUTORY CONSULTEES VIEWS**

13.1 No representations were received from Ward Councillors.

13.2 N/A.

13.3 Responsible Authorities Views - An objection was received from the Bromley Safeguarding Children Partnership.

13.4 Summary of Responsible Authorities comments: The objection received from the Bromley Safeguarding Children Partnership was on the grounds of Protection of Children from Harm. Whilst the applicant agreed to additional conditions, the objection was not formally withdrawn.

Comments were also received from the Public Health Nuisance Team stating, *“The application is to vary a Premises licence, but it appears they have a Club Certificate and from what they are asking for would possibly not be covered by club certificate as looks like renting it out for events and such as alcohol and entertainment is for members and their guests.”*

The following Responsible Authorities were notified about this application and their views sought.

Responsible Authority	Date Notified	Comments (See Appendix 3)
Metropolitan Police	11 <sup>th</sup> August 2023	No response
Planning Authority	11 <sup>th</sup> August 2023	No response
Trading Standards Service	11 <sup>th</sup> August 2023	No response
Public Health Nuisance Team	11 <sup>th</sup> August 2023	No objection
Health & Safety Team	11 <sup>th</sup> August 2023	No response
Child Protection Team	11 <sup>th</sup> August 2023	<b>Objection</b>
Fire Authority	11 <sup>th</sup> August 2023	No response
Public Health	11 <sup>th</sup> August 2023	No response

13.5 Residents and interested parties - 13 objections were received residents. These objections can be found in **Appendix 3**.

<b>Non-Applicable Sections:</b>	Personnel and Procurement implications
Background Documents: (Access via Contact Officer)	Soft File Computer based records



## Appendix 1

### Application Form & New Club Rules

**Application to vary a Premises Licence under the Licensing Act 2003** 

Before completing this form please read the guidance notes. Use the blank page at the end of the form to provide further details if necessary.

When it is complete you can submit the form directly to us – click on the Submit Form button. You may wish to print and keep a copy of the completed form for your records. For help information about filling in this type of electronic form, click on the help information button.

I/We

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in part 1 below.

Premises licence number

**Part 1 – Premises Details**

Postal address of premises or, if none, ordinance survey map reference or description

Telephone number at premises (if any)

Non-domestic rateable value at premises

**Part 2 – Applicant Details**

Title

Surname

First name(s)

Daytime contact telephone number

Email address

Current postal address if different from premises address

Postcode

**Variation**

Do you want the proposed variation to have effect as soon as possible?

Yes

No

If not, do you want the variation to take effect from?

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

**Please describe briefly the nature of the proposed variation (Please see guidance note 1)**

Our previous license was granted in 2006 and is no longer practical for the club due to an increase in services we are able and willing to provide for club members and the local community.

We are looking to extend hours to be able to serve more people during the day, as well as using our hall facilities for events, such as birthday celebrations, funerals and other club events.

We are also looking to extend the time our indoor sports clubs can use the facilities as we look to grow as a club and reach more members of the local and wider community.

We host a number of daytime events on behalf of schools and local sports providers which encourage participants from the ages of 7 to over 70 to start and partake in sport, and would like to be able to provide refreshments for these events.

<b>Operating Schedule</b>
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Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful

Provision of regulated entertainment

- |   |                                     |
|---|-------------------------------------|
| 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 checked="" 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 checked="" type="checkbox"/> |
| f) Recorded music (if ticking yes, fill in box F)   | <input checked="" type="checkbox"/> |
| g) Performances of dance (if ticking yes, fill in box G)  | <input checked="" 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 late night refreshment (if ticking yes, fill in box I)	<input checked="" type="checkbox"/>
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Sale by retail of alcohol (if ticking yes, fill in box J)	<input checked="" type="checkbox"/>
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**In all cases complete boxes K, L and M**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of a play take place indoors or outdoors or both?</b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start time	Finish time	<b>Please give further details here</b> (please read guidance note 3)			
Mon	<input type="text"/>	<input type="text"/>	State any seasonal variations for performing plays (please read guidance note 4)			
	<input type="text"/>	<input type="text"/>				
Tues	<input type="text"/>	<input type="text"/>				
	<input type="text"/>	<input type="text"/>				
Wed	<input type="text"/>	<input type="text"/>				
	<input type="text"/>	<input type="text"/>				
Thur	<input type="text"/>	<input type="text"/>				
	<input type="text"/>	<input type="text"/>				
Fri	<input type="text"/>	<input type="text"/>	<b>Non standard timings. Where you intend to use the premises for the performance of a play at different times than those listed, please list</b> (please read guidance note 5)			
	<input type="text"/>	<input type="text"/>				
Sat	<input type="text"/>	<input type="text"/>				
	<input type="text"/>	<input type="text"/>				
Sun	<input type="text"/>	<input type="text"/>				
	<input type="text"/>	<input type="text"/>				

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors or outdoors or both?</b> (please read guidance note 2)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start time	Finish time	<b>Please give further details here</b> (please read guidance note 3)			
Mon	<input type="text"/>	<input type="text"/>	State any seasonal variations for the exhibition of film (please read guidance note 4)			
	<input type="text"/>	<input type="text"/>				
Tues	<input type="text"/>	<input type="text"/>				
	<input type="text"/>	<input type="text"/>				
Wed	<input type="text"/>	<input type="text"/>				
	<input type="text"/>	<input type="text"/>				
Thur	<input type="text"/>	<input type="text"/>				
	<input type="text"/>	<input type="text"/>				
Fri	<input type="text"/>	<input type="text"/>	<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times than those listed, please list</b> (please read guidance note 5)			
	<input type="text"/>	<input type="text"/>				
Sat	<input type="text"/>	<input type="text"/>				
	<input type="text"/>	<input type="text"/>				
Sun	<input type="text"/>	<input type="text"/>				
	<input type="text"/>	<input type="text"/>				

## C

Indoor Sporting Events Standard days and timings (please read guidance note 6)			
Day	Start time	Finish time	Please give further details here (please read guidance note 3)
Mon	17:00	23:00	Table Tennis training, coaching and matches.
Tues	17:00	23:00	
Wed	17:00	23:00	State any seasonal variations for indoor sporting events (please read guidance note 4) N/A
Thur	17:00	23:00	
Fri	17:00	23:00	Non standard timings. Where you intend to use the premises for indoor sporting events at different times than those listed, please list (please read guidance note 5) N/A
Sat			
Sun	09:00	17:00	

**D**

<b>Boxing or wrestling entertainment</b> Standard days and timings (please read guidance note 6)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both?</b> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
<b>Day</b>	<b>Start time</b>	<b>Finish time</b>	<b>Please give further details here</b> (please read guidance note 3)					
<b>Mon</b>	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
<b>Tues</b>	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
<b>Wed</b>	<input type="text"/>	<input type="text"/>				<b>State any seasonal variations for boxing or wrestling entertainment</b> (please read guidance note 4)		
	<input type="text"/>	<input type="text"/>						
<b>Thur</b>	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
<b>Fri</b>	<input type="text"/>	<input type="text"/>	<b>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times than those listed, please list</b> (please read guidance note 5)					
	<input type="text"/>	<input type="text"/>						
<b>Sat</b>	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
<b>Sun</b>	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						



## E

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both?</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
<b>Day</b>	<b>Start time</b>	<b>Finish time</b>	<b>Please give further details here</b> (please read guidance note 3)					
<b>Mon</b>	<input type="text"/>	<input type="text"/>	Live Music is performed by a Jazz group on a Friday, and people who hire our hall may have live music if they wish.					
	<input type="text"/>	<input type="text"/>						
<b>Tues</b>	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
<b>Wed</b>	<input type="text"/>	<input type="text"/>				<b>State any seasonal variations for performance of live music</b> (please read guidance note 4)		
	<input type="text"/>	<input type="text"/>				N/A		
<b>Thur</b>	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
<b>Fri</b>	<input type="text" value="17:00"/>	<input type="text" value="23:59"/>	<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times than those listed, please list</b> (please read guidance note 5)					
	<input type="text"/>	<input type="text"/>						
<b>Sat</b>	<input type="text" value="12:00"/>	<input type="text" value="23:59"/>	Unamplified music could be permitted for use at funeral receptions if requested. These would normally take place on weekday afternoons.					
	<input type="text"/>	<input type="text"/>						
<b>Sun</b>	<input type="text" value="12:00"/>	<input type="text" value="23:00"/>						
	<input type="text"/>	<input type="text"/>						

## F

<b>Recorded music</b> Standard days and timings (please read guidance note 6)			<b>Will the playing of recorded music take place indoors or outdoors or both?</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start time</b>	<b>Finish time</b>	<b>Please give further details here</b> (please read guidance note 3)		
<b>Mon</b>	<input type="text"/>	<input type="text"/>	Music to be played at parties and club events.		
	<input type="text"/>	<input type="text"/>			
<b>Tues</b>	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
<b>Wed</b>	<input type="text"/>	<input type="text"/>	<b>State any seasonal variations for playing recorded music</b> (please read guidance note 4)		
	<input type="text"/>	<input type="text"/>	N/A		
<b>Thur</b>	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
<b>Fri</b>	<input type="text" value="17:00"/>	<input type="text" value="23:59"/>	<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times than those listed, please list</b> (please read guidance note 5)		
	<input type="text"/>	<input type="text"/>	During school holidays, we do have children's birthday parties with entertainers who play music. It is normally a small set of speakers.		
<b>Sat</b>	<input type="text" value="12:00"/>	<input type="text" value="23:59"/>			
	<input type="text"/>	<input type="text"/>			
<b>Sun</b>	<input type="text" value="12:00"/>	<input type="text" value="23:00"/>			
	<input type="text"/>	<input type="text"/>			

## 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 read guidance note 2)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start time	Finish time	Please give further details here (please read guidance note 3)					
Mon	<input type="text"/>	<input type="text"/>	A dance school use our premises for lessons and small performances to parents.					
	<input type="text"/>	<input type="text"/>						
Tues	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						
Wed	<input type="text"/>	<input type="text"/>				State any seasonal variations for the performance of dance (please read guidance note 4)		
	<input type="text"/>	<input type="text"/>				N/A		
Thur	15:00	19:00						
	<input type="text"/>	<input type="text"/>						
Fri	<input type="text"/>	<input type="text"/>	Non standard timings. Where you intend to use the premises for the performance of dance at different times than those listed, please list (please read guidance note 5)					
	<input type="text"/>	<input type="text"/>	N/A					
Sat	08:00	13:00						
	<input type="text"/>	<input type="text"/>						
Sun	<input type="text"/>	<input type="text"/>						
	<input type="text"/>	<input type="text"/>						

**H**

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)</p>			<p><b>Please give a description of the type of entertainment you will be providing</b></p> <div style="border: 1px solid black; height: 100px; width: 100%;"></div>		
			<p><b>Will the entertainment take place indoors or outdoors or both?</b> (please read guidance note 2)</p>		Indoors
			Outdoors	<input type="checkbox"/>	
			Both	<input type="checkbox"/>	
Day	Start time	Finish time	<b>Please give further details here</b> (please read guidance note 3)		
<b>Mon</b>	<input type="text"/>	<input type="text"/>	<div style="border: 1px solid black; height: 400px; width: 100%;"></div>		
	<input type="text"/>	<input type="text"/>			
<b>Tues</b>	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
<b>Wed</b>	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
<b>Thur</b>	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
<b>Fri</b>	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
<b>Sat</b>	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			
<b>Sun</b>	<input type="text"/>	<input type="text"/>			
	<input type="text"/>	<input type="text"/>			

**State any seasonal variations for entertainment of a similar description to that falling within (e), (f) and (g)** (please read guidance note 4)

**Non standard timings. Where you intend to use the premises for entertainment of a similar description to that falling within (e), (f) or (g) at different times than those listed, please list** (please read guidance note 5)

I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of late night refreshment take place indoors or outdoors or both?</b> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start time</b>	<b>Finish time</b>	<b>Please give further details here</b> (please read guidance note 3)		
Mon	<input type="text" value="12:00"/>	<input type="text" value="23:00"/>	Extension of hours to serve the community groups and clubs that use our facilities during the day, as well as allow us to host celebratory events.		
Tues	<input type="text" value="12:00"/>	<input type="text" value="23:00"/>			
Wed	<input type="text" value="12:00"/>	<input type="text" value="23:00"/>	<b>State any seasonal variations for the provision of late night refreshment</b> (please read guidance note 4)		
			N/A		
Thur	<input type="text" value="12:00"/>	<input type="text" value="23:00"/>			
Fri	<input type="text" value="12:00"/>	<input type="text" value="23:59"/>	<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times than those listed, please list</b> (please read guidance note 5)		
Sat	<input type="text" value="12:00"/>	<input type="text" value="23:59"/>	N/A		
Sun	<input type="text" value="12:00"/>	<input type="text" value="23:00"/>			

**J**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the provision of alcohol be for consumption:</b> (please read guidance note 7)	On the Premises <input checked="" type="checkbox"/>
				Off the Premises <input type="checkbox"/>
				Both <input type="checkbox"/>
<b>Day</b>	<b>Start time</b>	<b>Finish time</b>	<b>State any proposed seasonal variations for the provision of alcohol</b> (please read guidance note 4)	
<b>Mon</b>	<input type="text" value="12:00"/>	<input type="text" value="23:00"/>	<b>N/A</b>	
	<input type="text"/>	<input type="text"/>		
<b>Tues</b>	<input type="text" value="12:00"/>	<input type="text" value="23:00"/>		
	<input type="text"/>	<input type="text"/>		
<b>Wed</b>	<input type="text" value="12:00"/>	<input type="text" value="23:00"/>		
	<input type="text"/>	<input type="text"/>		
<b>Thur</b>	<input type="text" value="12:00"/>	<input type="text" value="23:00"/>		
	<input type="text"/>	<input type="text"/>	<b>N/A</b>	
<b>Fri</b>	<input type="text" value="12:00"/>	<input type="text" value="23:59"/>		
	<input type="text"/>	<input type="text"/>		
<b>Sat</b>	<input type="text" value="12:00"/>	<input type="text" value="23:59"/>		
	<input type="text"/>	<input type="text"/>		
<b>Sun</b>	<input type="text" value="12:00"/>	<input type="text" value="23:00"/>		
	<input type="text"/>	<input type="text"/>		

**K**

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to use of the premises that may give rise to concern in respect of children (please see guidance note 8)

<b>N/A</b>
------------

**L**

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variations</b> (please read guidance note 4)
			N/A
<b>Day</b>	<b>Start time</b>	<b>Finish time</b>	
Mon	09:00	23:00	
Tue	09:00	23:00	
Wed	09:00	23:00	<b>Non standard timings. Where you intend to use the premises to be open to the public at different times to those listed, please list</b> (please read guidance note 5)
Thu	09:00	23:00	
Fri	09:00	23:59	N/A
Sat	09:00	23:59	
Sun	09:00	23:59	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

None

I will enclose the premises licence with the declaration

I will enclose the relevant part of the premises licence with the declaration

Neither of above (If checking this box please fill in reasons for not sending the licence, or part of it, below)

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

The relevant paperwork was not passed across to me when I became Company Secretary. The only copy we currently have available to us is the one on display on the premises.

**M**

Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation

**a). General – all four licensing objectives (b,c,d,e)** (please read guidance note 5)

We intend to continue the service we have provided over the last years, making sure we have signs encouraging safe drinking, and making sure we actively discourage drink driving and other dangerous activities that may occur as a result of drinking.

**b). The prevention of crime and disorder**

We are regularly in contact with local police officers who help to discourage crime and anti-social behaviour on the premises and immediate surrounding area. Having these extended hours means it would be possible for us to have a member of staff onsite for longer periods of time.

**c). Public safety**

We would continue providing the service we have previously provided. Which has always included ensuring public safety.

**d). The prevention of public nuisance**

We intend to improve our clubhouse facilities which should in turn reduce the risk of causing a public nuisance. We are in regular contact with our immediate neighbours to inform of any events that are occurring.

**e). The protection of children from harm**

We have a policy that does not allow any unaccompanied children to use our facilities. We also have a Child Welfare officer who oversees any problems that may arise at our club. This role would continue to ensure we offer a safe environment for children who use our facilities.



- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

**I/ WE UNDERSTAND THAT IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003. TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Declaration (please read guidance note 10)**

**Confirmation of applicant or applicant’s solicitor or other duly authorised agent** (see guidance note 11) **If confirming on behalf of the applicant please state in what capacity**

**Confirmation**

Name

Date

Capacity

**For joint applicants confirmation of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note 12) **If confirming on behalf of the applicant please state in what capacity**

**Confirmation**

Name

Date

Capacity

**Contact name (where not previously given) and postal address for correspondence associated with this application** (please read guidance note 13)

Name

Address

Postcode

Telephone number (if any)

If you would prefer us to correspond with you by email your email address.

Use this page if there is any other information that you think we should know about.  
Information entered on this page will be sent to us, along with the data on the rest of the form when you use the "Submit" option.

A large, empty rectangular box with a thin black border, occupying most of the page below the text. It is intended for the user to provide additional information.

## **Wickham Park Sports Club Ltd.**

### **General Rules made by The Board**

1. The Board shall be responsible for Club Management and co-ordination, and shall consist of:

The Chairman of the Club

The Club Secretary

The Financial Director

The Ground Manager

The Buildings Manager

A Representative of each Section

A Representative of Social Members

Two additional members

Six shall form a quorum.

2. The Board will meet 10 times per annum, with no more than one meeting to take place per month. Meetings will take place on a Monday.
3. The Ground Manager shall be responsible to the Board for the proper management of the Ground.
4. The Buildings Manager shall be responsible to the Board for the proper management of the buildings.
5. The following shall be elected at the Annual General Meeting

The Chairman of the Club

The Club Secretary

6. Each Section shall make its own Rules and elect its own Hon. Secretary and Committee, provided at all times that those General Rules and the Articles of Association are not contravened.
7. Notice of all Sectional Annual General Meetings shall be given to the Board.
8. The Board and each Sectional Committee have the power to co-opt.
9. The Board of Directors shall fix the financial targets for the Sectional Committees to meet.  
Unless special arrangements are made with the Club Treasurer, no monies may be retained by the Sections for any purpose but must be paid over immediately to the Club Treasurer.

10. Social Memberships subscriptions are valid for 12 months from the acceptance of membership. Sectional Memberships become due on the first day of the respective season. All subscriptions must be paid within one month of the date on which they become due; after this period, failure to pay subscriptions will render the person(s) concerned liable to be deprived of all Club privileges. Paid up membership of a Section entitles the member to Social membership for one year from the beginning of each season.
11. The acceptance of new members shall be considered by the relevant section, subject to the membership meeting the criteria set out in the Articles of Association. Social Memberships will be considered by the Board Representative for the Social Section and the Chairman of the Club.  
The Board reserves the right to overrule any decision made on membership.
12. Non-playing Members, on reaching the age of 70, with at least 25 years membership, shall become Life Members of the Club on application to the Board.
13. The supply of wines, spirits, and other alcoholic liquors shall be under the control of the Bar Manager, who shall arrange for the supply thereof to the members and their guests.  
The hours of serving shall be fixed by the Bar Manager and shall be strictly adhered to so that the regulations prescribed by statute and by the Local Licensing Justices are not contravened.
14. Members of visiting teams and their supporters may be admitted to the Club's premises as guests and may be permitted to purchase and may be supplied with intoxicating liquor for consumption on the premises in accordance with the Licensing Acts.  
No one shall be admitted to the Club as an Honorary or Temporary member.  
A member introducing friends or guests shall sign the Club Visitor Register and be responsible in every way for their conduct, including compliance with the Licensing Acts whilst on the Club's premises.
15. Members of any team hiring the ground and their supporters may be admitted to the Club's premises as guests and may be permitted to purchase and may be supplied with intoxicating liquor for consumption on the premises in accordance with the Licensing Acts on the day of hire only.  
For use of the Club's premises on other days, the person(s) must be a fully paid up social member, or one of the Club's sections.
16. The Hall and indoor facilities may only be hired out to a member of the club. In these instances, all guests attending the event may be supplied with intoxicating liquor for consumption on the premises in accordance with the Licensing Acts during the relevant event.
17. Persons who attend the Club as visitors on more than three occasions in a period of twelve months are expected to apply for membership of the Club.

The Board reserve the right to refuse admission of any non-member.

18. No person under the age of 18 years shall be served with alcoholic refreshment or be permitted to consume alcoholic refreshment on the Club premises.
19. Members under the age of 18 years are allowed, at any discretion of the bar staff on duty, to use the bar lounge up to 9.30pm. After that time they may not enter or stay in the bar lounge unless accompanied by a responsible adult.  
Members under the age of 12 years are allowed, at any discretion of the bar staff on duty, to use the bar lounge up to 9.30pm only under direct supervision of a responsible adult.  
Unless bar staff or other responsible Club Official is on the premises, the clubhouse must be locked and no person under the age of 18 years is allowed to enter or remain in the building at such times.
20. Under no circumstances shall spiked shoes or football boots be worn in the bar lounge or the hall.
21. Only at the discretion of the bar staff or Club Official may the television be switched on.  
No recorded music may be played without permission from the bar staff on duty or a Club Official.
22. Except on special occasions approved by the Board of Directors, the Club buildings shall close at 12.30am, or such earlier time as may be decided by the bar staff on duty or by a responsible Club Official.  
When leaving the club it is expected that all members and guests are respectful to our neighbours and leave the premises quickly and quietly.
23. Children and others shall not be permitted at any time to insert stumps, or other similar articles on the Club ground without the express permission of the Ground Manager.
24. Dog walking will not be allowed on the Club's ground. Members spectating may bring their dog provided it is kept on a lead. Dogs shall not be taken nor allowed in the Club's buildings.
25. The Club is registered under the Betting and Gaming Acts for the fruit machine and small lotteries run by the Club. Small Club fundraising events are permitted, on the premise that all licensing requirements are met. No other forms of gambling is allowed anywhere on the Club premises.
26. Bicycles and motorcycles shall not be ridden on the Club ground except as far as the car park immediately inside the entrance to the premises. Motor vehicles shall be placed in the lined car parking spaces provided and shall not be driven on any other part of the Club premises.

## Appendix 2

### Current Club Premises Certificate, Club Rules & Premises Plan

**Club Premises Certificate  
London Borough of Bromley**

Club premises certificate number

06/00693/LAPREC

**Signed**

Paul Lehane  
Food, Safety and Licensing Manager

Certificate Granted 16<sup>th</sup> August 2006

This Certificate Consists of 6 pages

**Club Details**

**Name of club in whose name this certificate is granted and relevant postal address of club**

Wickham Park Sports Club  
228-230 Pickhurst Rise  
West Wickham  
BR4 0AU

**If different from above the postal address of club premises to which this certificate relates, if any, or if none, ordnance survey map reference or description**

Not Applicable

**Where the club premises certificate is time limited the dates**

Not Applicable.

**Qualifying club activities authorised by the certificate**

Sale or Supply of Alcohol  
Indoor Sports  
Live Music  
Recorded Music  
Performance of Dance

**Where the certificate authorises supplies of alcohol whether these are on and/or off supplies**

On Supplies Only

**The times the certificate authorises the carrying out of qualifying club activities**

Sale or Supply of Alcohol on Monday-Thursday from 20:00 to 23:00  
Sale or Supply of Alcohol on Friday from 19:00 to 23:00  
Sale or Supply of Alcohol on Saturday from 12:00 to 23:00  
Sale or Supply of Alcohol on Sunday from 12:00 to 22:30  
Indoor Sports on Monday-Thursday from 19:30 to 23:00  
Indoor Sports on Sunday from 09:00 to 12:00  
Live Music on Friday from 19:30 to 23:00 (Alternate Fridays)  
Live Music on Saturday from 19:30 to 00:00 (Perhaps twice a year)  
Recorded Music on Saturday from 19:30 to 00:00  
Recorded Music on Sunday from 16:00 to 18:00  
Performance of Dance on Monday from 15:30 to 17:30

**The opening hours of the club**

Not Specified

**Mandatory Conditions**

Not Applicable

**Conditions consistent with the Club Operating Schedule**

**1. Club Premises - Permitted Hours**

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- (a) On Monday to Thursday 2000 to 2300, Friday 1900 to 2300, Saturday 1200 to 2300 other than Christmas Day, Good Friday or New Year's Eve,
- (b) On Sundays, other than Christmas Day or New Year's Eve, 12.00 to 22.30
- (c) On Good Friday, 12.00 to 22.30.
- (d) On New Year's Eve, except on a Sunday, 11.00 to 23.00.
- (e) On New Year's Eve on a Sunday, 12.00 to 22.30.
- (f) On New Year's Eve from the end of permitted hours to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December);



(g) On Christmas Day, as provided by the rules of the club and notified in writing by the chairman or secretary of the club to the Licensing Authority. The said hours shall:

- i. Not exceed six and a half hours;
- ii. Not begin earlier than 12.00;
- iii. Not end later than 22.30
- iv. Provide for a break of at least 2 hours, including 15.00 to 17.00;
- v. Not extend for more than three and a half hours after 17.00.

The above restrictions do not prohibit the supply to, or consumption by, any person of alcohol in any premises where they are residing.

2. The premises must operate in accordance with the submitted application form and is subject to additional conditions as specified within, Part 3 (Operating Schedule) of the Form, held by the Licensing Authority.

Stamped Reference Number 06/00693/LAPREC Date: 16<sup>th</sup> August 2006

3. The Premises must operate in accordance with the Club Rules submitted with the Application, held by the Licensing Authority.

Stamped Reference Number 06/00693/LAPREC Date: 16<sup>th</sup> August 2006

4. The Licensing Authority must be informed in writing of any proposals to change or amend any of the rules of the Club, prior to any rule or amendment coming in to force.

5. Non Standard Timings listed below are allowed in addition to the normal permitted hours of this licence:-

- Christmas Eve 1200 to 0000
- New Years Eve 1200 to 0100
- A maximum of 12 social events per year usually a Friday or Saturday 1900 to 0000
- Recorded Music for Private functions and Children's Parties no more than 1 per month
- Live Music on a Saturday rare occasions perhaps twice per year
- Indoor sporting events winter months only

#### **Conditions attached after a hearing by the Licensing Authority**

6. Live Music on Alternate Fridays

7. No regulated entertainment to continue beyond 0000

8. The garden/patio of the premises shall not be used after 2200 on any day

9. No regulated entertainment to take place in the garden/ patio area of the premises on any day

10. All door and windows are to be kept closed when regulated entertainment is taking place except to allow access and egress.

11. Signs to be displayed on all exits requesting that the public should leave quietly

**Plans**

Held by the Licensing authority ref number; 06/00693/LAPREC

Date: 16<sup>th</sup> August 2006

**Club Premises Certificate Summary  
London Borough of Bromley**

Club premises certificate number

**06/00693/LAPREC**

**Signed**

Paul Lehane  
Food, Safety and Licensing Manager

Certificate Granted 16<sup>th</sup> August 2006

This Certificate Summary consists of **2** pages

**Club Details**

**Name of club in whose name the certificate is granted and relevant registered postal address of club**

Wickham Park Sports Club  
228-230 Pickhurst Rise  
West Wickham  
BR4 0AU

**If different from above the postal address of club premises to which the certificate relates, or if none, ordnance survey map reference or description**

Not Applicable

**Where the club premises certificate is time limited the dates**

Not Applicable.

**Qualifying club activities authorised by the certificate**

Sale or Supply of Alcohol  
Indoor Sports  
Live Music  
Recorded Music  
Performance of Dance

**Where the certificate authorises supplies of alcohol whether these are on and/or off supplies**

On Supplies Only

**The times the certificate authorises the carrying out of qualifying club activities**

Sale or Supply of Alcohol on Monday-Thursday from 20:00 to 23:00  
Sale or Supply of Alcohol on Friday from 19:00 to 23:00  
Sale or Supply of Alcohol on Saturday from 12:00 to 23:00  
Sale or Supply of Alcohol on Sunday from 12:00 to 22:30  
Indoor Sports on Monday-Thursday from 19:30 to 23:00  
Indoor Sports on Sunday from 09:00 to 12:00  
Live Music on Friday from 19:30 to 23:00 (Alternate Fridays)  
Live Music on Saturday from 19:30 to 00:00 (Perhaps twice a year)  
Recorded Music on Saturday from 19:30 to 00:00  
Recorded Music on Sunday from 16:00 to 18:00  
Performance of Dance on Monday from 15:30 to 17:30

**The opening hours of the club**

Not Specified

**State whether access to the club premises by children is restricted or prohibited**

Not Applicable

## WICKHAM PARK SPORTS CLUB LTD.

### GENERAL RULES MADE BY THE BOARD.

1. The Executive Committee shall be responsible to the Board for Club Management and co-ordination, and shall consist of:-

The Secretary of the Company  
 The Club Treasurer  
 The Club Secretary  
 The Ground Manager  
 The Buildings Manager

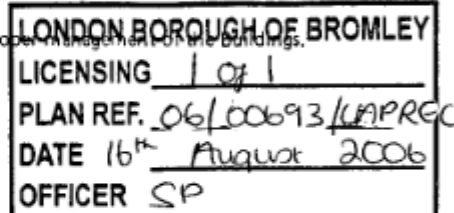
The Secretary of each Section  
 (or Representative)  
 The Bar Rota Organiser  
 The Catering Secretary  
 Two other members, not being  
 Directors.

All Directors shall be ex-officio members of the Committee

Seven shall form a quorum.

2. The Executive Committee will normally meet on the first Monday of each month. Any exception to this will be notified by post.
3. The Ground Manager shall be responsible to the Board for the proper management of the Ground.
4. The Buildings Manager shall be responsible to the Board for the proper management of the Buildings.
5. The following shall be elected at the Annual General Meeting:-

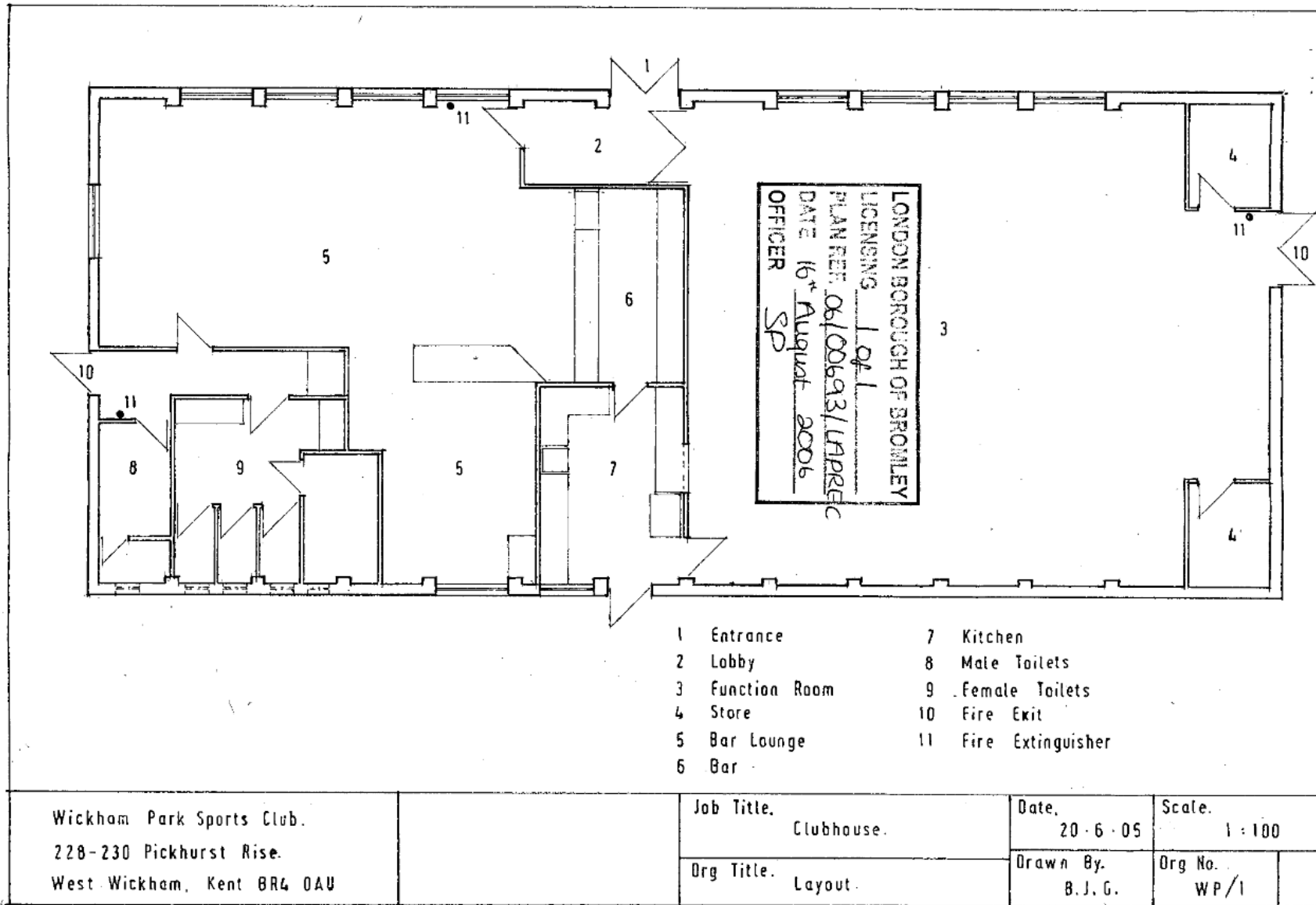
The Club Secretary  
 The Club Treasurer  
 The Wine Committee



6. Each Section shall make its own Rules and elect its own Hon. Secretary and Committee, provided at all times that these General Rules and the Articles of Association are not contravened.
7. Notice of all Sectional Annual General Meetings shall be given to the Executive Committee.
8. The Executive Committee and each Sectional Committee shall have power to co-opt.
9. Sectional Secretaries may incur expenditure not exceeding £10. Any such expenditure must be reported to the next meeting of the Executive Committee. For expenditure in excess of £10 application must be made to the Executive Committee for examination and recommendation to the Board.
10. The Board of Directors shall fix the respective subscriptions and the Sectional Committees shall be responsible for their collection. Unless special arrangements are made with the Club Treasurer, no monies may be retained by the Sections for any purpose, but must be paid over immediately to the Club Treasurer.
11. Social membership subscriptions become due on the 1st October in each year. Sectional subscriptions become due on the first day of the respective Season. All subscriptions must be paid within one month of the date on which they become due; after this period failure to pay subscriptions will render the person(s) concerned liable to be deprived of all Club privileges. Paid up membership of a Section entitles the member to Social membership for one year from the beginning of each season.
12. All applications for membership must be duly proposed and seconded by members. The acceptance of new members shall be considered by the Board, who shall have the final decision as provided by Articles 5 - 7 of the Company's Articles of Association. Any such decision shall be determined by a simple majority of the Board members present at the meeting. Application forms properly completed shall be exhibited on the Club Notice Board for at least 48 hours before such applications are considered by the Board.
13. Members on reaching the age of 70 years, with at least 25 years membership, shall become Life Members of the Club on application to the Board.

14. The supply of wines, spirits, and other alcoholic liquors, shall be under the control of the Wine Committee who shall arrange for the supply thereof to the members and their guests.  
The hours of serving shall be fixed by the Wine Committee and shall be strictly adhered to so that the regulations prescribed by statute and by the Local Licensing Justices are not contravened.
15. Members of visiting teams and their supporters may be admitted to the Club's premises as guests and may be permitted to purchase and may be supplied with intoxicating liquor for consumption on the premises in accordance with the Licensing Acts.  
No one shall be admitted to the Club as an Honorary or Temporary member.  
A member introducing friends or guests shall sign the Club Visitors Register and be responsible in every way for their conduct, including compliance with the Licensing Acts whilst on the Club's premises.
16. Persons who attend the Club as visitors on more than three occasions in a period of twelve months are expected to apply for membership of the Club.  
The Board reserve the right to refuse admission of any non-member.
17. No person under the age of 18 years shall be served with alcoholic refreshment, or be permitted to consume alcoholic refreshment on the Club premises.
18. Members under the age of 18 years are allowed, at the discretion of the bar steward on duty, to use the bar lounge up to 9.30 p.m. After that time they may not enter or stay in the bar lounge unless accompanied by a responsible adult.  
Unless the Groundsman, a bar steward or other responsible Club Official is on the premises, the bar lounge must be locked and no person under the age of 18 years is allowed to enter or remain in the building at such times.
19. No children shall be allowed in the bar lounge without a parent or other responsible adult who must accept full responsibility for the behaviour of the children.
20. Under no circumstances shall spiked shoes or football boots be worn in the bar lounge or the hall.
21. Only at the discretion of the bar steward on duty may the television be switched on.  
Transistor radios will not be allowed if they cause annoyance to any members, whether on the playing fields or in Club buildings.
22. Except on special occasions approved by the Board of Directors, the Club buildings shall close at 11.30 p.m. or such earlier time as may be decided by the bar steward on duty or by a responsible officer of the Club.
23. Children and others shall not be permitted at any time to insert stumps, or other similar articles or play ball or other games on the Club ground without the express permission of the Ground Manager.
24. Dogs shall not be brought on to the Club's ground unless on a lead and under proper control. Dogs shall not in any circumstances be taken or allowed in Club buildings.
25. The Club is registered under the Betting and Gaming Acts for the fruit machine, small lotteries run by the Club, and organised Bridge evenings and Whist Drives for small stakes and prizes. No other form of gambling is allowed anywhere on the Club premises.
26. Bicycles and motor cycles shall not be ridden on the Club ground except as far as the car park immediately inside the entrance to the premises. Motor vehicles shall be placed in the car park provided and shall not be driven on any other part of the Club premises.

(As revised by the Board of Directors 1994)



## Appendix 3

### Representations



## Application comments:

### **Support 1:** Pickhurst Rise West Wickham

This should be granted it's not a late licence and the area needs the extra vibrancy.

---

### **Objection 1** - Bromley Safeguarding Children Partnership BSCP

BSCP objects to this application on the following basis

We are looking for a commitment to:

- Challenge 25 principle (asking anyone who LOOKS under 25 yrs, has ID)
- ID checks (specific types)
- Refusal Log kept when they refuse to sell alcohol.

### **Objection 2:** Pickhurst Rise, west Wickham

it will have significant detrimental effect on wellbeing of surrounding neighbourhood, there are a lot of families including mine, that do not wish to take part in a party unwillingly; i am also concerned about potential impact on neighbourhood once the punters leave the premises late at night

### **Objection 3:** Pickhurst Rise, West Wickham

My property directly backs onto this club and since COVID they have increased the number of functions they hold. Extending the hours to midnight on Fridays and Saturdays and 11pm on Sundays is going to make life very difficult. The club does not appear to have any sound proofing and then there is the noise of the clientele leaving, revving cars, shouting usually because they are intoxicated and thus spills onto Pickhurst Rise when they wait for cabs. The supervision by the club appears to be non-existent which suggests they are only interested in profit which makes them appear to have no respect for residents. If profit is their only aim then it is not reinvested as the buildings are an eyesore. If this goes ahead then potentially, we will have functions every weekend making sleeping difficult, as an NHS employee who does shift work, I find this change unacceptable. The club never give residents notice of functions which I presume saves them having too many complaints. There are also 2 other clubs that either back onto Pickhurst Rise or are in the road for which the music they play until late at night carries. We also have to endure people parking over our drive when there is a function and when football/ cricket matches are played. This will be detrimental to the local community as it will encourage anti-social behaviour.

### **Objection 4:** Pickhurst Rise West Wickham

As a resident that backs onto the fields occupied by both Wickham Park and the Ex-Blues clubs I feel I have no choice but to object to the proposed licence changes.

As residents we've recently had a great deal of hassle regarding excessive and highly invasive noise from the Ex-Blues clubs recent increase in hiring activity for parties and similar events. Whilst not falling foul of any regulations, noise levels of up to 69.4dB measured in our back gardens have still caused great distress to residents and prevented us from enjoying the otherwise peaceful weekend atmosphere in our own homes.

I therefore fail to see how an extension to the Wickham Park club licensing hours can do anything but cause further distress to the nearby residents, far greater than they could potentially 'benefit' from the proposed changes as stated in the application. After all, it's more likely that non-residents are going to be hiring the premises for these events than local residents.

## Application comments:

The midnight closing time proposal on Friday and Saturday is bad enough, but the suggested 23:00 licensing time for live and amplified music on a Sunday is the very definition of antisocial. I pity those with children that will inevitably struggle to get them to sleep at a reasonable time for school the next day.

I must be clear though, this does not mean I object to the entire application. I would love to support the proposed extension to accommodate the indoor sporting events (C) and the proposed times to for the performance of dance (G).

I do, however, strongly object to the extension of both live and recorded music into the night (E & F).

### **Objection 5:** Pickhurst Rise West Wickham

As a resident that backs onto the fields occupied by Wickham Park feel I have no choice but to object to the proposed licence changes.

The music played of a night at the moment at Wickham Park is very loud and disrupts a very peaceful neighbourhood and causes us and local residents a great deal of distress from what I have witnessed the music already goes on much later than allowed. Additionally, the younger groups of people who leave the club late at night have a tendency to gather outside the front of our house, on one occasion making me very uncomfortable as they were arguing and I could not access my car without asking to get by.

We have two young children ages 2 and 5 years old and their constant interrupted sleep from the music played affects their well-being

I therefore fail to see how an extension to the Wickham Park club licensing hours can do anything but cause further distress to the nearby residents, far greater than they could potentially 'benefit' from the proposed changes as stated in the application. After all, it's more likely that non-residents are going to be hiring the premises for these events than local residents.

I strongly object to the extension of both live and recorded music into the night (E & F).

### **Objection 6:** Pickhurst Rise West Wickham

I am not sure how to select the above options but I both object and support various parts of the application.

The objections I have are for E, F, I and J. The club is based on a residential road and it's not fair for both the noise during to the residents that back onto the club but also to the noise that comes after with people leaving the club especially at the time in the evening when alcohol may have been consumed. It's not fair to those living nearby especially those with young children. I live down the road luckily and aren't subject to direct noise nuisances but I have two young children under two and can only imagine what a nightmare it must be for those living on top of the club.

### **Objection 7:** Pickhurst Rise West Wickham

I object to part of the proposal (section re music being potentially played late on a Sunday) as many of us have work the next day and feel that the proposed new time is a very unreasonable and unsocial hour for music to be played. It's not fair on the residents, many people have young children who will be kept awake by the noise, not to mention people that have work the following day and/or elderly residents. I struggle to sleep on a Friday and Saturday night when the club is open for events but I do appreciate that people want to have fun and enjoy themselves so I don't

## Application comments:

mind. It's the late night music on a Sunday night that I strongly object to. Sunday evenings should be a time to relax, possibly sit in the garden, enjoying the peace and quiet and not feel stressed and aggravated. Also it's not just the noise when the club is open, it's the aftermath i.e. People hanging about, shouting etc. Please don't allow the club to take advantage of their location and please be considerate towards the neighbours that live very close by. Thanks

### **Objection 8:** Pickhurst rise

As a resident that backs directly onto the field beside Wickham Park Sports Club, I'm afraid that I do object to some of the proposed licence changes.

I am concerned at the potential noise disturbance of the extension to the live/recorded music licensing proposed until midnight on Fri/Sat and 11pm on Sundays. We are a few houses down from the club and noise can be loud enough to be a nuisance when music is being played there. The combination of the noise and people leaving the club late and coming out onto Pickhurst Rise will inevitably prevent residents from being able to enjoy quiet evenings in their homes and gardens and also prevent adults and children from being able to get to sleep. In our case, my daughter is doing her GCSEs next year and her bedroom backs on to the field. It doesn't feel right that she will have to sleep in another room or wear ear plugs to get to sleep before a school day if there is a function on a Sunday night.

This kind of noise nuisance is not so bad when it is the odd one off but to know it could potentially be lots of weekends that we will be trying to ignore loud music late into the evening feels anti-social and too much to ask local residents to reasonably put up with.

I would really like to support the sports club to fundraise/maximise their income and make best use of their facilities. It would be wonderful if they could come up with a more community/neighbourhood friendly way of doing this by enticing the local residents to support the club without potentially causing a noise nuisance. It is a lovely community spirited area and anti-social developments like this will likely only serve to turn the local residents off the idea of supporting the club which is a real shame and missed opportunity.

### **Objection 9:** Pickhurst Rise West Wickham

I would like to object to parts of this licence variation that relate to extending the times when parties, live music and alcohol are permitted at Wickham Park Sports Club. I have no objection to changes that allow the club to expand its sporting offer.

The reason for my objection is that this is a residential area with lots of families with young children. Most residents chose to live here because it is quiet, safe and has good schools. During the day the local sports clubs play an important role in the community, offering various clubs, lessons and activities. However in the evenings the clubs often become a burden on the local area. Loud music coming from Wickham Park travels far with little to absorb it before it reaches our homes. Worse still is the noise of revellers shouting and shrieking outside the club, and as they leave it and wait for taxis or walk down our street, sometimes urinating on our driveways, smashing bottles etc. This is not an area where a nightclub would be permitted planning permission as it simply isn't suitable, and yet the sports clubs are morphing into that kind of function, causing significant disruption to residents' sleep and wellbeing. Any extension to this would be extremely unwelcome in this area and that is why I am objecting.

### **Objection 10:** Pickhurst rise

I am a local resident who lives on Pickhurst Rise and back onto the sports fields. I strong object to the proposed extension to Wickham park licensing hours together with change of use. I therefore strongly opposed points E, F and G but not point C. There are many families with

## Application comments:

young children. The noise seems to amplify and the winds can make worse and cover a larger affect area. This area is for sporting events not for the owners to make more income with parties etc. To the detriment of local people. I would not live next to a social so do not think that I should be affected by this possible change of increased noise and disturbance. Although they have some parking, excessive vehicles would be put onto our road, which is already limited with the amount of driveway cut into front gardens.

### **Objection 11**: Pickhurst rise

I would like to object to the proposal of extended hours at Wickham Park Sports ground for the following reasons;

- As a resident whose house backs onto their car park, the noise levels in the evenings are already excessive. When people are talking in the car park during and after events, the volume is such that you can hear everything they're saying. This includes evenings where there's no specific event as such, but people using the facilities or tennis courts.
- Users of the ground have no consideration of the noise levels to the residents, and when there are events taking place, they congregate in the outside the building or in the car park talking loudly, sometimes shouting and screaming. They leave broken glass outside neighbouring houses and order Ubers who park outside the house late at night. Again there are loud conversations and slamming of car doors.
- There is limited parking on the grounds, and so users or parents park on Pickhurst Rise, often blocking access to our drives and not allowing residents to have space for visitors. There is definitely not enough parking if funerals and more parties are being held.
- A few months ago we called the Police, following anti-social behaviour and incident from people leaving the club following an event. An altercation took place opposite the drive to the club in the alleyway and a person was knocked unconscious and glasses were broken. Local residents the following morning were clearing up the path.
- Presently events finish at 11pm at the weekend, but by the time they leave it is often midnight. The noise is loud enough that it wakes residents.
- There is no barrier to the ground, so people can come and go throughout the night without consideration to the residents.
- The drain cover at the end of the entrance is also loose, so as every car goes over it, it makes 2 loud bangs as the front and back wheels go over it. Plus car drivers come in/ out playing loud music, and car horns are often sounded as people say goodbye. The occasional car alarm going off adds to the mix.

## Application comments:

- The extension of hours, will also have an impact on the parking for residents, cause more anti-social behaviour in a residential road, bring the value of our property down and overall impact our sleep.
- The application has been made by the club secretary, who appears to live in Orpington, so has no idea the impact it has, and consequently doesn't consider these issues when putting forward this application.
- We already have to put up with loud music/ noise coming from the Wilsonian Ground, which travels across their fields to our row of houses. Again you have smokers and other people coming in and out to the back of the property, shouting and singing, and each time the door opens the music volume goes up and down. Sometimes we can actually hear the words of the songs being played it's that loud, but generally just the thump, thump of base tones.

Finally, we knew when buying the property that there would be some noise, but there is genuinely no consideration with respect to the neighbours. Even on Sunday nights, and weekday evenings there can be sufficient noise that an early night isn't possible with the windows open, which is at least all through the summer months. No club can realistically police this, no matter what they may suggest in their application. There's also been no attempted consultation with us in any way as to whether we'd support this application.

I'd like to say that we are supportive of the club in general (although we're not members) as it provides a lot of facilities and exercise to the local community, including the day nursery, but unfortunately, we object to any further increased noise and interference with our lives. Enough is enough.

In terms of protection to ourselves and our property, we request that our names and address are withheld from public view, hence why we've written to you instead of using the public forum.

### **Objection 12:** Pickhurst Rise

As a resident of Pickhurst Rise, I feel I have no choice but to strongly object to the proposed licence changes that Wickham Park Sports Club have submitted.

Myself and my family ... already have to suffer the noise pollution it creates. The noise not only comes from this club, but also from the Ex Blues club which is also in Pickhurst Rise (it sits next to Wickham Park Sports Club), but also Old Wilsonians Club in Hayes Hill Club (it may be in a different road, but it sits directly behind Wickham Park Sports Club). This is a very residential area and the live and recorded

## Application comments:

music from all 3 of these clubs can clearly be heard in Pickhurst Rise late into the evening already.

The proposed extension to the late night music licence for this club would have a serious detrimental effect on us as residents and would impact on our daily lives and mental health. How would we get any rest or sleep if the music can keep blaring out until 23.59 on Friday and Saturday nights and 11pm on Sundays? Experience of living in the vicinity of these clubs has shown us that the noise pollution goes on long after the music stops. People hang around in Pickhurst Rise for anything up to an hour after the club closes, shouting and hollering whilst they wait for cabs and lifts. Or racing up and down the road in cars, whilst trying to impress their friends. This means that people could be hanging around up until 1am on Saturday and Sunday mornings and 12am on Monday mornings. This is unacceptable for adults and I can only imagine how children will cope with no sleep, trying to stay awake at school. Even if we get a reprieve from Wickham Park, 'a night off' so to speak, the chances are that there will be an event at one of the above mentioned clubs, again resulting in no rest for us all.

In addition to this, the noise kicks off again when the football teams arrive on Saturday and Sunday mornings - all you can hear is shouting, hollering and swearing from the players.

I strongly disagree with the late night music licence being extended, however I would agree, in principle, with daytime activities being extended slightly. But in order for this to happen, I feel that the parking arrangements would need to be addressed. Currently the car park is too small to deal with capacity and it pushes cars into Pickhurst Rise. Cars are constantly being parked dangerously and the drives of residence are always being blocked. Myself and my family are frequently being abused (mainly from other clubs members, who visit during away games), when we ask people not to block our drives and park considerately.

The club claim that this changes will benefit the community. However, We have lived here for 25 years and neither myself, my family or any of the residents that I know use this club, and have no intention in doing so. Possibly partly due to the fact that when we've approached them in the past to ask for their assistance with noise and inconsistent parking issues, they have been unwilling to help.

I really hope you can take my concerns into account when you review this application.

### **Objection 13:** Pickhurst rise

I strongly object to these proposed changes to the club. There is currently no consideration for how the day to day activities of the club affect me, my family and other local residents. The clubs car park is too small which means patrons and visitors to the club end up parking inconsiderately out on the street, covering my driveway and the service alley leading to my garage. This is a weekly problem we experience and in spite of many complaints to the club they make no attempt to remedy it.

We also already have to put up with noise coming from Wickham Park Sports Club and in addition can clearly hear loud music emanating from The Old Wilstonians Sports Club behind as well as The Ex Blues Sports Club further down our road which of late, especially it seems on a Sunday, has become considerably louder and goes on longer.

## Application comments:

The proposed changes to allow music to play until 23:59 are completely unacceptable. Once the music was turned off we would then be subjected to the noise of people leaving the club, which has always been a problem, cabs arriving outside with engines running, and this could drag on until well into the early hours of the morning. Then come 7am people start arriving at the club. It would be relenting and have a serious impact on my life and my family in our home. The club say that these changes would benefit the local community. They would certainly not. The club has always refused to assist with anti-social behaviour from its patrons, members and guests alike.

### **Objection 14:**

Our ... garden reverses directly onto the sports club, we would like to strongly object to the extension of the licence times as even at the current timings of the licence we already experience a number of incidents wherein flocks of "party goers" are left in the early hours of the morning with no available transport (as it's a heavily residential area) no trains or buses close by, so a reliance on uber / family or friends to pick them up post the hosted events whether it be parties or socials. The reality of this is we have people waiting around and continuing to drink for up to 1-2hrs after the venue has closed, and they congregate on the road right outside our house to continue.

We frequently also find a number of alcoholic bottles/beer cans passed over our fence following these events, which when we have a 5yr old daughter is not ideal, especially on one occasion the glass vodka bottle was smashed on our patio, we have also randomly found shoes and items of clothing (I'm sure it was funny to someone!).

The key issue we have is the hall typically seems to be attracting the 18-25 age group for these parties, and they have tended to have little consideration for all the residents, especially at 11pm/midnight +, and at that time of night noise travels, and is not aided by the seemingly non restricted sound level from the hall itself (the door is typically left open and we get to hear the songs and lyrics clearly of every song that is played, so we end up having to close our windows to block it out.

I can only assume that the hall is already raising ad-hoc extension's to the licencing times already ? as they already have parties going on until midnight? Can you please advise if this is the case?

In summary, the extension of the licence I think is inappropriate for the location of the hall (embedded within the residents) with little/no facilities to help people come/go ...and that married with the local pubs I believe even having an earlier close (typically 10-11pm most nights) and these are establishments designed to cater for alcohol/parties.

We believe the above and following give a good indication why the extension of licence service is a bad idea :

- 1) Loud and excessive music, causing us (and no doubt surrounding neighbours to have to close doors/windows to block out)

## Application comments:

- 2) Rubbish/littering to immediate area and our own garden post “events”, including “people relieving themselves” after the party ends
- 3) Location of hall in a heavily residential area with little transport availability for exit
- 4) Local pubs/establishments in the area mostly have a 10-11pm cut-off
- 5) Early morning disturbances (we have a 5yr old, and many families on our road, immediate area also have young families) which is inconsiderate past midnight to be disturbed

Lastly to help strengthen our argument I have attached one of the examples I explain above, in where our home security camera captured at 1am (continued until past 2am) by five groups, 20+ people who were kicked out from the hall and then continued to drink and await pickup. The following morning there was rubbish and signs that people had “relieved” themselves on the fence/road, which is pleasant.

Note: I sent this also to the sports club to advise the same, and the expected response was received back - apologies, we will ask people to be more considerate, but obviously they cannot stop/avoid this. Which is why we strongly object to this application.



## Appendix 4

### Additional Conditions Agreed with Police

Wickham Park Sports Club 30/08/2023 Proposed conditions: -

1. The Premises has an approved CCTV system which is regularly maintained by NSI – NACOSS Gold Standard/SSAIB registered installer subject to a maintenance contract. The system will always be fully operational, as stipulated/recommended by the installer.
2. The system will be in use and recording at all times during licensed hours and whilst people are on the premises. It is able to record in all lighting conditions and images recorded are of good, evidential quality. A member of staff will be made available to operate the system and supply copies of the recordings on request to either a Police, Council or other authorised officer. The recordings shall be kept for a minimum of 31 days.
3. Ensure that a Personal Licence holder is on the premises at all times whilst licensing activity is taking place.
4. An incident log (which may be electronically recorded) shall be kept at the premises by the organiser and made available on request to police or an authorised officer. The following details shall be recorded:

Date of incident

Time of incident

Location of incident

Persons concerned

Summary of incident

Identification of any Emergency Services Personnel who attended

5. Ensure that a refusals record is maintained at the premises and that such a record shall be made immediately available for inspection by the Police or an authorised Officer of the Local Authority.
6. A Challenge 25 initiative must be in operation to ensure that any person attempting to purchase alcohol who appears to be under the age of 25 shall provide documented proof that they are over 18 years of age. Proof of age shall only comprise a valid and in date passport, photo card driving licence, military card or a card bearing the PASS hologram.
7. Ensure that Challenge 25 posters/stickers are displayed and visible inside the venue.
8. Where the premises is being used for a pre-booked event/function/Celebration, or there are large numbers of persons anticipated in attendance at the venue then a risk assessment will be carried out by the management prior to the commencement date.

If deemed necessary, the management will put in place measures to negate any risk. Considerations to include, but not limited to; SIA Security, appropriate number of staff, the use of polycarbonate glasses for all drinks, control of maximum capacity and implementing an entry/dispersal policy.

9. All bar staff will be trained in the Licensing Act 2003 and 'Challenge 25'. The training will be refreshed every 6 months and all staff training records should be maintained and kept on site. A designated member of staff should be able to produce the records on the request of police or other authorised person.
10. The garden/patio areas of the premises shall not be used after 2200hrs on any day, with no regulated entertainment taking place in outside spaces.
11. All doors and windows are to be kept closed when regulated entertainment is taking place, except to allow access and egress.
12. Signs will be displayed asking patrons to leave quietly when leaving the premises and to have consideration for the local community
13. Signs shall be displayed in the designated smoking area requesting that the public should be quiet reminding customers of the proximity of residential properties.
14. The venue will adopt any anti-drug initiative to include, but not limited to; Regular toilet inspections, staff training on behavioural detection/vigilance, conflict management and challenging such behaviour.
15. Alcohol sales shall cease approximately 30 mins prior to closing to allow for drink up time.

## Appendix 5

### Satellite Image and Street View of the Premises

Satellite Image of Wickham Park Sports Club



Close up Satellite Image of Wickham Park Sports Club



Street View Wickham Park Sports Club



## Appendix 6

Licensing Act 2003 CHAPTER 17 - PART 4 CLUBS

&

Chapter 6 of the Revised Guidance issued under

Section 182 of Licensing Act 2003





# Licensing Act 2003

## 2003 CHAPTER 17

### PART 4

#### CLUBS

##### *Introductory*

#### **60 Club premises certificate**

- (1) In this Act “club premises certificate” means a certificate granted under this Part—
- (a) in respect of premises occupied by, and habitually used for the purposes of, a club,
  - (b) by the relevant licensing authority, and
  - (c) certifying the matters specified in subsection (2).
- (2) Those matters are—
- (a) that the premises may be used by the club for one or more qualifying club activities specified in the certificate, and
  - (b) that the club is a qualifying club in relation to each of those activities (see section 61).

##### *Qualifying clubs*

#### **61 Qualifying clubs**

- (1) This section applies for determining for the purposes of this Part whether a club is a qualifying club in relation to a qualifying club activity.
- (2) A club is a qualifying club in relation to the supply of alcohol to members or guests if it satisfies both—
- (a) the general conditions in section 62, and
  - (b) the additional conditions in section 64.

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*Changes to legislation: Licensing Act 2003, Part 4 is up to date with all changes known to be in force on or before 20 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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- (3) A club is a qualifying club in relation to the provision of regulated entertainment if it satisfies the general conditions in section 62.

## **62 The general conditions**

- (1) The general conditions which a club must satisfy if it is to be a qualifying club in relation to a qualifying club activity are the following.
- (2) Condition 1 is that under the rules of the club persons may not—
- (a) be admitted to membership, or
  - (b) be admitted, as candidates for membership, to any of the privileges of membership,
- without an interval of at least two days between their nomination or application for membership and their admission.
- (3) Condition 2 is that under the rules of the club persons becoming members without prior nomination or application may not be admitted to the privileges of membership without an interval of at least two days between their becoming members and their admission.
- (4) Condition 3 is that the club is established and conducted in good faith as a club (see section 63).
- (5) Condition 4 is that the club has at least 25 members.
- (6) Condition 5 is that alcohol is not supplied, or intended to be supplied, to members on the premises otherwise than by or on behalf of the club.

## **63 Determining whether a club is established and conducted in good faith**

- (1) In determining for the purposes of condition 3 in subsection (4) of section 62 whether a club is established and conducted in good faith as a club, the matters to be taken into account are those specified in subsection (2).
- (2) Those matters are—
- (a) any arrangements restricting the club's freedom of purchase of alcohol;
  - (b) any provision in the rules, or arrangements, under which—
    - (i) money or property of the club, or
    - (ii) any gain arising from the carrying on of the club,is or may be applied otherwise than for the benefit of the club as a whole or for charitable, benevolent or political purposes;
  - (c) the arrangements for giving members information about the finances of the club;
  - (d) the books of account and other records kept to ensure the accuracy of that information;
  - (e) the nature of the premises occupied by the club.
- (3) If a licensing authority decides for any purpose of this Act that a club does not satisfy condition 3 in subsection (4) of section 62, the authority must give the club notice of the decision and of the reasons for it.

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## 64 The additional conditions for the supply of alcohol

- (1) The additional conditions which a club must satisfy if it is to be a qualifying club in relation to the supply of alcohol to members or guests are the following.
- (2) Additional condition 1 is that (so far as not managed by the club in general meeting or otherwise by the general body of members) the purchase of alcohol for the club, and the supply of alcohol by the club, are managed by a committee whose members—
  - (a) are members of the club;
  - (b) have attained the age of 18 years; and
  - (c) are elected by the members of the club.

This subsection is subject to section 65 (which makes special provision for <sup>[F1]</sup>registered societies], friendly societies etc.).

- (3) Additional condition 2 is that no arrangements are, or are intended to be, made for any person to receive at the expense of the club any commission, percentage or similar payment on, or with reference to, purchases of alcohol by the club.
- (4) Additional condition 3 is that no arrangements are, or are intended to be, made for any person directly or indirectly to derive any pecuniary benefit from the supply of alcohol by or on behalf of the club to members or guests, apart from—
  - (a) any benefit accruing to the club as a whole, or
  - (b) any benefit which a person derives indirectly by reason of the supply giving rise or contributing to a general gain from the carrying on of the club.

### Textual Amendments

- F1** Words in s. 64(2) substituted (1.8.2014) by [Co-operative and Community Benefit Societies Act 2014](#) (c. 14), s. 154, [Sch. 4 para. 84](#) (with [Sch. 5](#))

## 65 <sup>[F2]</sup>Registered societies], friendly societies etc.

- (1) Subsection (2) applies in relation to any club which is—
  - <sup>[F3]</sup>(a) a registered society within the meaning of the [Co-operative and Community Benefit Societies Act 2014](#),
  - (b) a registered society, within the meaning of the [Friendly Societies Act 1974](#) (c. 46) (see section 111(1) of that Act), or
  - (c) a registered friendly society, within the meaning of the [Friendly Societies Act 1992](#) (c. 40) (see section 116 of that Act).
- (2) Any such club is to be taken for the purposes of this Act to satisfy additional condition 1 in subsection (2) of section 64 if and to the extent that—
  - (a) the purchase of alcohol for the club, and
  - (b) the supply of alcohol by the club,
 are under the control of the members or of a committee appointed by the members.
- (3) References in this Act, other than this section, to—
  - (a) subsection (2) of section 64, or
  - (b) additional condition 1 in that subsection,
 are references to it as read with subsection (1) of this section.

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**Changes to legislation:** Licensing Act 2003, Part 4 is up to date with all changes known to be in force on or before 20 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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- (4) Subject to subsection (5), this Act applies in relation to an incorporated friendly society as it applies in relation to a club, and accordingly—
- (a) the premises of the society are to be treated as the premises of a club,
  - (b) the members of the society are to be treated as the members of the club, and
  - (c) anything done by or on behalf of the society is to be treated as done by or on behalf of the club.
- (5) In determining for the purposes of section 61 whether an incorporated friendly society is a qualifying club in relation to a qualifying club activity, the society is to be taken to satisfy the following conditions—
- (a) condition 3 in subsection (4) of section 62,
  - (b) condition 5 in subsection (6) of that section,
  - (c) the additional conditions in section 64.
- (6) In this section “incorporated friendly society” has the same meaning as in the Friendly Societies Act 1992 (see section 116 of that Act).

#### Textual Amendments

- F2** Words in s. 65 heading substituted (1.8.2014) by [Co-operative and Community Benefit Societies Act 2014 \(c. 14\), s. 154, Sch. 4 para. 85\(2\)](#) (with Sch. 5)
- F3** S. 65(1)(a) substituted (1.8.2014) by [Co-operative and Community Benefit Societies Act 2014 \(c. 14\), s. 154, Sch. 4 para. 85\(3\)](#) (with Sch. 5)

## 66 Miners' welfare institutes

- (1) Subject to subsection (2), this Act applies to a relevant miners' welfare institute as it applies to a club, and accordingly—
- (a) the premises of the institute are to be treated as the premises of a club,
  - (b) the persons enrolled as members of the institute are to be treated as the members of the club, and
  - (c) anything done by or on behalf of the trustees or managers in carrying on the institute is to be treated as done by or on behalf of the club.
- (2) In determining for the purposes of section 61 whether a relevant miners' welfare institute is a qualifying club in relation to a qualifying club activity, the institute is to be taken to satisfy the following conditions—
- (a) condition 3 in subsection (4) of section 62,
  - (b) condition 4 in subsection (5) of that section,
  - (c) condition 5 in subsection (6) of that section,
  - (d) the additional conditions in section 64.
- (3) For the purposes of this section—
- (a) “miners' welfare institute” means an association organised for the social well-being and recreation of persons employed in or about coal mines (or of such persons in particular), and
  - (b) a miners' welfare institute is “relevant” if it satisfies one of the following conditions.
- (4) The first condition is that—

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- (a) the institute is managed by a committee or board, and
  - (b) at least two thirds of the committee or board consists—
    - (i) partly of persons appointed or nominated, or appointed or elected from among persons nominated, by one or more licensed operators within the meaning of the Coal Industry Act 1994 (c. 21), and
    - (ii) partly of persons appointed or nominated, or appointed or elected from among persons nominated, by one or more organisations representing persons employed in or about coal mines.
- (5) The second condition is that—
- (a) the institute is managed by a committee or board, but
  - (b) the making of—
    - (i) an appointment or nomination falling within subsection (4)(b)(i), or
    - (ii) an appointment or nomination falling within subsection (4)(b)(ii),
 is not practicable or would not be appropriate, and
  - (c) at least two thirds of the committee or board consists—
    - (i) partly of persons employed, or formerly employed, in or about coal mines, and
    - (ii) partly of persons appointed by the Coal Industry Social Welfare Organisation or a body or person to which the functions of that Organisation have been transferred under section 12(3) of the Miners' Welfare Act 1952 (c. 23).
- (6) The third condition is that the premises of the institute are held on trusts to which section 2 of the Recreational Charities Act 1958 (c. 17) applies.

### *Interpretation*

#### **67 Associate members and their guests**

- (1) Any reference in this Act (other than this section) to a guest of a member of a club includes a reference to—
- (a) an associate member of the club, and
  - (b) a guest of an associate member of the club.
- (2) For the purposes of this Act a person is an “associate member” of a club if—
- (a) in accordance with the rules of the club, he is admitted to its premises as being a member of another club, and
  - (b) that other club is a recognised club (see section 193).

#### **68 The relevant licensing authority**

- (1) For the purposes of this Part the “relevant licensing authority” in relation to any premises is determined in accordance with this section.
- (2) Subject to subsection (3), the relevant licensing authority is the authority in whose area the premises are situated.
- (3) Where the premises are situated in the areas of two or more licensing authorities, the relevant licensing authority is—

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- (a) the licensing authority in whose area the greater or greatest part of the premises is situated, or
  - (b) if there is no authority to which paragraph (a) applies, such one of those authorities as is nominated in accordance with subsection (4).
- (4) In a case within subsection (3)(b), an applicant for a club premises certificate must nominate one of the licensing authorities as the relevant licensing authority in relation to the application and any certificate granted as a result of it.

**69 Authorised persons<sup>F4</sup> ... and responsible authorities**

(1) In this Part in relation to any premises each of the following expressions has the meaning given to it by this section—

“authorised person”,

<sup>F5</sup>  
...

“responsible authority”.

(2) “Authorised person” means any of the following—

- (a) an officer of a licensing authority in whose area the premises are situated who is authorised by that authority for the purposes of this Act,
- <sup>F6</sup>(b) an inspector appointed by the fire and rescue authority for the area in which the premises are situated.]
- (c) an inspector appointed under section 19 of the Health and Safety at Work etc. Act 1974 (c. 37),
- (d) an officer of a local authority, in whose area the premises are situated, who is authorised by that authority for the purposes of exercising one or more of its statutory functions in relation to minimising or preventing the risk of pollution of the environment or of harm to human health,
- (e) in relation to a vessel, an inspector, or a surveyor of ships, appointed under section 256 of the Merchant Shipping Act 1995 (c. 21),
- (f) a person prescribed for the purposes of this subsection.

<sup>F7</sup>(3) .....

(4) “Responsible authority” means any of the following—

- <sup>F8</sup>(za) the relevant licensing authority and any other licensing authority in whose area part of the premises is situated,]
- (a) the chief officer of police for any police area in which the premises are situated,
- (b) the [<sup>F9</sup>fire and rescue authority] for any area in which the premises are situated,
- <sup>F10</sup>(ba) the <sup>F11</sup>... Local Health Board for any area in which the premises are situated,]
- <sup>F12</sup>(bb) the local authority in England whose public health functions within the meaning of the National Health Service Act 2006 are exercisable in respect of any area in which the premises are situated,]
- (c) the enforcing authority within the meaning given by section 18 of the Health and Safety at Work etc. Act 1974 (c. 37) for any area in which the premises are situated,
- (d) the local planning authority within the meaning given by the Town and Country Planning Act 1990 (c. 8) for any area in which the premises are situated,

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- (e) the local authority by which statutory functions are exercisable in any area in which the premises are situated in relation to minimising or preventing the risk of pollution of the environment or of harm to human health,
  - (f) a body which—
    - (i) represents those who, in relation to any such area, are responsible for, or interested in, matters relating to the protection of children from harm, and
    - (ii) is recognised by the licensing authority for that area for the purposes of this section as being competent to advise it on such matters,
  - <sup>F13</sup>(g) .....
  - (h) in relation to a vessel—
    - (i) a navigation authority (within the meaning of section 221(1) of the Water Resources Act 1991 (c. 57)) having functions in relation to the waters where the vessel is usually moored or berthed or any waters where it is, or is proposed to be, navigated at a time when it is used for qualifying club activities,
    - (ii) the Environment Agency,
    - (iii) [<sup>F14</sup>Canal & River Trust], or
    - (iv) the Secretary of State,
  - (i) a person prescribed for the purposes of this subsection.
- (5) For the purposes of this section, “statutory function” means a function conferred by or under any enactment.

#### Textual Amendments

- F4** Words in s. 69 title omitted (25.4.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 107(2)(a)**, 157(1) (with s. 107(9)); S.I. 2012/1129, art. 2(d)
- F5** Words in s. 69(1) omitted (25.4.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 107(2)(b)**, 157(1) (with s. 107(9)); S.I. 2012/1129, art. 2(d)
- F6** S. 69(2)(b) substituted (1.10.2006) by The Regulatory Reform (Fire Safety) Order 2005 (S.I. 2005/1541), art. 53(1), **Sch. 2 para. 50(2)** (with art. 49) (as amended by The Regulatory Reform (Fire Safety) Subordinate Provisions Order 2006 (S.I. 2006/484), **arts. 1(1)**, 2)
- F7** S. 69(3) omitted (25.4.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 107(2)(c)**, 157(1) (with s. 107(9)); S.I. 2012/1129, art. 2(d)
- F8** S. 69(4)(za) inserted (25.4.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 103(3)(a)**, 157(1) (with s. 103(4)); S.I. 2012/1129, art. 2(d)
- F9** Words in s. 69(4)(b) substituted (7.9.2004 for E. for certain purposes and 1.10.2004 otherwise and 10.11.2004 for W.) by Fire and Rescue Services Act 2004 (c. 21), ss. 53, 61, **Sch. 1 para. 98(2)(3)(c)**; S.I. 2004/2304, **art. 2(1){(2)}**; S.I. 2004/2917, **art. 2**
- F10** S. 69(4)(ba) inserted (25.4.2012) by Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 104(4)**, 157(1) (with s. 104(5)); S.I. 2012/1129, art. 2(d)
- F11** Words in s. 69(4)(ba) omitted (1.4.2013) by virtue of Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 5 para. 115(a)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F12** S. 69(4)(bb) inserted (1.4.2013) by Health and Social Care Act 2012 (c. 7), s. 306(4), **Sch. 5 para. 115(b)**; S.I. 2013/160, art. 2(2) (with arts. 7-9)
- F13** S. 69(4)(g) omitted (25.4.2012) by virtue of Police Reform and Social Responsibility Act 2011 (c. 13), **ss. 103(3)(b)**, 157(1) (with s. 103(4)); S.I. 2012/1129, art. 2(d)
- F14** Words in s. 69(4)(h)(iii) substituted (2.7.2012) by The British Waterways Board (Transfer of Functions) Order 2012 (S.I. 2012/1659), art. 1(2), **Sch. 3 para. 16(3)** (with arts. 4-6)

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### Commencement Information

- II** S. 69(2)(f)(4)(i) in force at 16.12.2003 by S.I. 2003/3222, art. 2, Sch. and s. 69 otherwise in force at 7.2.2005 by S.I. 2004/2360, art. 2, Sch.

## 70 Other definitions relating to clubs

In this Part—

“secretary”, in relation to a club, includes any person (whether or not an officer of the club) performing the duties of a secretary;

“supply of alcohol to members or guests” means, in the case of any club,—

- (a) the supply of alcohol by or on behalf of the club to, or to the order of, a member of the club, or
- (b) the sale by retail of alcohol by or on behalf of the club to a guest of a member of the club for consumption on the premises where the sale takes place,

and related expressions are to be construed accordingly.

### *Grant of club premises certificate*

## 71 Application for club premises certificate

- (1) A club may apply for a club premises certificate in respect of any premises which are occupied by, and habitually used for the purposes of, the club.
- (2) Any application for a club premises certificate must be made to the relevant licensing authority.
- (3) Subsection (2) is subject to regulations under—
  - (a) section 91 (form etc. of applications and notices under this Part);
  - (b) section 92 (fees to accompany applications and notices).
- (4) An application under this section must also be accompanied by—
  - (a) a club operating schedule,
  - (b) a plan of the premises to which the application relates, in the prescribed form, and
  - (c) a copy of the rules of the club.
- (5) A “club operating schedule” is a document which is in the prescribed form, and includes a statement of the following matters—
  - (a) the qualifying club activities to which the application relates (“the relevant qualifying club activities”),
  - (b) the times during which it is proposed that the relevant qualifying club activities are to take place,
  - (c) any other times during which it is proposed that the premises are to be open to members and their guests,
  - (d) where the relevant qualifying club activities include the supply of alcohol, whether the supplies are proposed to be for consumption on the premises or both on and off the premises,
  - (e) the steps which it is proposed to take to promote the licensing objectives, and



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- (f) such other matters as may be prescribed.
- (6) The Secretary of State must by regulations—
- (a) require an applicant to advertise the application within the prescribed period—
- (i) in the prescribed form, and
- (ii) in a manner which is prescribed and is likely to bring the application to the attention of the [<sup>F15</sup>persons who live, or are involved in a business, in the relevant licensing authority's area and who are] likely to be affected by it;
- [<sup>F16</sup>(aa) require the relevant licensing authority to advertise the application within the prescribed period—
- (i) in the prescribed form, and
- (ii) in a manner which is prescribed and is likely to bring the application to the attention of the persons who are likely to be affected by it; and”  
and]
- (b) <sup>F17</sup> . . . . .
- (c) prescribe the period during which [<sup>F18</sup>responsible authorities and other persons] may make representations to the relevant licensing authority about the application.
- [<sup>F19</sup>(7) The Secretary of State may by regulations—
- (a) require an applicant to give notice of his application to each responsible authority, and such other persons as may be prescribed, within the prescribed period, and
- (b) in a case where the application is made by means of a relevant electronic facility, require the relevant licensing authority to give notice of the application to such persons as may be prescribed, within the prescribed period.]

#### Textual Amendments

- F15** Words in s. 71(6)(a)(ii) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 107(3)(a)**, 157(1) (with s. 107(9)); S.I. 2012/1129, art. 2(d)
- F16** S. 71(6)(aa) inserted (22.3.2012 for specified purposes, 25.4.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 107(3)(b)**, 157(1) (with s. 107(9)); S.I. 2012/896, art. 2(c); S.I. 2012/1129, art. 2(d)
- F17** S. 71(6)(b) omitted (28.12.2009) by virtue of [The Provision of Services Regulations 2009 \(S.I. 2009/2999\)](#), **reg. 49(9)(a)** (with regs. 2, 5)
- F18** Words in s. 71(6)(c) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 107(3)(c)**, 157(1) (with s. 107(9)); S.I. 2012/1129, art. 2(d)
- F19** S. 71(7) inserted (28.12.2009) by [The Provision of Services Regulations 2009 \(S.I. 2009/2999\)](#), **reg. 49(9)(b)** (with regs. 2, 5)

#### Commencement Information

- I2** S. 71(4)(b)(5)(6) in force at 16.12.2003 by [S.I. 2003/3222](#), **art. 2**, [Sch.](#) and s. 71 in force otherwise at 7.2.2005 by [S.I. 2004/2360](#), **art. 2**, [Sch.](#)

## 72 Determination of application for club premises certificate

- (1) This section applies where the relevant licensing authority—

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- (a) receives an application for a club premises certificate made in accordance with section 71, and
  - (b) is satisfied that the applicant has complied with any requirement imposed on the applicant under subsection (6) of that section.
- (2) Subject to subsection (3), the authority must grant the certificate in accordance with the application subject only to—
- (a) such conditions as are consistent with the club operating schedule accompanying the application, and
  - (b) any conditions which must under section 73(2) to (5) [<sup>F20</sup>, 73A] or 74 be included in the certificate.
- (3) Where relevant representations are made, the authority must—
- (a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and
  - (b) having regard to the representations, take such of the steps mentioned in subsection (4) (if any) as it considers [<sup>F21</sup>appropriate] for the promotion of the licensing objectives.
- (4) The steps are—
- (a) to grant the certificate subject to—
    - (i) the conditions mentioned in subsection (2)(a) modified to such extent as the authority considers [<sup>F22</sup>appropriate] for the promotion of the licensing objectives, and
    - (ii) any conditions which must under section 73(2) to (5) [<sup>F20</sup>, 73A] or 74 be included in the certificate;
  - (b) to exclude from the scope of the certificate any of the qualifying club activities to which the application relates;
  - (c) to reject the application.
- (5) Subsections (2) and (3)(b) are subject to section 73(1) (certificate may authorise off-supplies only if it authorises on-supplies).
- (6) For the purposes of subsection (4)(a)(4)(a) the conditions mentioned in subsection (2) (a) are modified if any of them is altered or omitted or any new condition is added.
- (7) For the purposes of this section, “relevant representations” means representations which—
- (a) are about the likely effect of the grant of the certificate on the promotion of the licensing objectives, and
  - (b) meet the requirements of subsection (8).
- (8) The requirements are—
- (a) that the representations were made by [<sup>F23</sup>a responsible authority or other person] within the period prescribed under section 71(6)(c),
  - (b) that they have not been withdrawn, and
  - (c) in the case of representations made by [<sup>F24</sup>a person who is not a responsible authority], that they are not, in the opinion of the relevant licensing authority, frivolous or vexatious.

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- (9) Where the authority determines for the purposes of subsection (8)(c) that any representations are frivolous or vexatious, it must notify the person who made them of the reasons for its determination.
- (10) In discharging its duty under subsection (2) or (3)(b) a licensing authority may grant a club premises certificate subject to different conditions in respect of—
- (a) different parts of the premises concerned;
  - (b) different qualifying club activities.

#### Textual Amendments

- F20** Words in s. 72(2)(b)(4)(a)(ii) inserted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), ss. 112, 116, [Sch. 7 para. 38](#); [S.I. 2010/125](#), [art. 2\(t\)](#)
- F21** Word in s. 72(3)(b) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 110\(2\)\(a\)](#), 157(1) (with s. 110(6)); [S.I. 2012/1129](#), [art. 2\(d\)](#)
- F22** Word in s. 72(4)(a)(i) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 110\(2\)\(b\)](#), 157(1) (with s. 110(6)); [S.I. 2012/1129](#), [art. 2\(d\)](#)
- F23** Words in s. 72(8)(a) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 107\(4\)\(a\)](#), 157(1) (with s. 107(9)); [S.I. 2012/1129](#), [art. 2\(d\)](#)
- F24** Words in s. 72(8)(c) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 107\(4\)\(b\)](#), 157(1) (with s. 107(9)); [S.I. 2012/1129](#), [art. 2\(d\)](#)

### 73 Certificate authorising supply of alcohol for consumption off the premises

- (1) A club premises certificate may not authorise the supply of alcohol for consumption off the premises unless it also authorises the supply of alcohol to a member of the club for consumption on those premises.
- (2) A club premises certificate which authorises the supply of alcohol for consumption off the premises must include the following conditions.
- (3) The first condition is that the supply must be made at a time when the premises are open for the purposes of supplying alcohol, in accordance with the club premises certificate, to members of the club for consumption on the premises.
- (4) The second condition is that any alcohol supplied for consumption off the premises must be in a sealed container.
- (5) The third condition is that any supply of alcohol for consumption off the premises must be made to a member of the club in person.

#### [<sup>F25</sup>73A Mandatory conditions relating to the supply of alcohol to members or guests

Where a club premises certificate authorises the supply of alcohol to members or guests, the certificate must include any conditions specified in an order under section 73B and applicable to the certificate.]

#### Textual Amendments

- F25** S. 73A inserted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), ss. 32, 116, [Sch. 4 para. 3](#); [S.I. 2010/125](#), [art. 2\(r\)](#)

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**[<sup>F26</sup>73B Power of Secretary of State to impose section 73A mandatory conditions**

- (1) The Secretary of State may by order specify conditions relating to the supply of alcohol to members or guests and applicable to all relevant club premises certificates or relevant club premises certificates of a particular description if the Secretary of State considers it appropriate to do so for the promotion of the licensing objectives.
- (2) The number of conditions in force by virtue of subsection (1) in relation to all relevant club premises certificates and the number of conditions in force by virtue of that subsection in relation to relevant club premises certificates of particular descriptions must not (when added together) exceed at any time nine.
- (3) An order under subsection (1) may—
  - (a) relate to existing or future relevant club premises certificates,
  - (b) specify conditions which involve, or consist of, the exercise of a discretion by any person.
- (4) Any conditions specified by an order under subsection (1) in relation to existing relevant club premises certificates are to be treated as—
  - (a) included in those certificates from the coming into force of the order, and
  - (b) overriding any conditions already included in those certificates (“the existing conditions”) so far as they are—
    - (i) identical to the existing conditions, or
    - (ii) inconsistent with, and more onerous than, the existing conditions.
- (5) Any conditions included, or treated as included, in relevant club premises certificates by virtue of section 73A and this section cease to have effect so far as they cease to be specified under this section in relation to those certificates.
- (6) Any conditions treated as mentioned in subsection (4)(b) cease to be so treated so far as they cease to be specified under this section in relation to the relevant club premises certificates concerned.
- (7) So far as conditions cease to be treated as mentioned in subsection (4)(b), the existing conditions revive.
- (8) Subsections (5) to (7) are subject to any alternative transitional or saving provision made by the order revoking the specification.
- (9) In this section—
 

“existing relevant club premises certificate”, in relation to an order, means a relevant club premises certificate granted before the coming into force of the order and in effect, or capable of having effect, on its coming into force,

“future relevant club premises certificate”, in relation to an order, means a relevant club premises certificate granted on or after the coming into force of the order,

“relevant club premises certificate” means a club premises certificate authorising the supply of alcohol to members or guests.]

**Textual Amendments**

**F26** S. 73B inserted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), ss. 32, 116, [Sch. 4 para. 4](#); [S.I. 2010/125](#), [art. 2\(r\)](#)

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#### 74 **Mandatory condition: exhibition of films**

- (1) Where a club premises certificate authorises the exhibition of films, the certificate must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
- (2) Where the film classification body is specified in the certificate, unless subsection (3) (b) applies, admission of children must be restricted in accordance with any recommendation made by that body.
- (3) Where—
  - (a) the film classification body is not specified in the certificate, or
  - (b) the relevant licensing authority has notified the club which holds the certificate that this subsection applies to the film in question,
 admission of children must be restricted in accordance with any recommendation made by that licensing authority.
- (4) In this section—
  - “children” means persons aged under 18; and
  - “film classification body” means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c. 39) (authority to determine suitability of video works for classification).

#### 75 **Prohibited conditions: associate members and their guests**

- (1) Where the rules of a club provide for the sale by retail of alcohol on any premises by or on behalf of the club to, or to a guest of, an associate member of the club, no condition may be attached to a club premises certificate in respect of the sale by retail of alcohol on those premises by or on behalf of the club so as to prevent the sale by retail of alcohol to any such associate member or guest.
- (2) Where the rules of a club provide for the provision of any regulated entertainment on any premises by or on behalf of the club to, or to a guest of, an associate member of the club, no condition may be attached to a club premises certificate in respect of the provision of any such regulated entertainment on those premises by or on behalf of the club so as to prevent its provision to any such associate member or guest.

#### 76 **Prohibited conditions: plays**

- (1) In relation to a club premises certificate which authorises the performance of plays, no condition may be attached to the certificate as to the nature of the plays which may be performed, or the manner of performing plays, under the certificate.
- (2) But subsection (1) does not prevent a licensing authority imposing, in accordance with section 72(2) or (3)(b), 85(3)(b) or 88(3), any condition which it considers [F27appropriate] on the grounds of public safety.

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#### **Textual Amendments**

- F27** Word in s. 76(2) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), ss. **110(3)**, **157(1)** (with s. **110(6)**); S.I. 2012/1129, art. 2(d)

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## 77 Grant or rejection of application for club premises certificate

- (1) Where an application is granted under section 72, the relevant licensing authority must forthwith—
  - (a) give a notice to that effect to—
    - (i) the applicant,
    - (ii) any person who made relevant representations in respect of the application, and
    - (iii) the chief officer of police for the police area (or each police area) in which the premises are situated, and
  - (b) issue the club with the club premises certificate and a summary of it.
- (2) Where relevant representations were made in respect of the application, the notice under subsection (1)(a) must specify the authority's reasons for its decision as to the steps (if any) to take under section 72(3)(b).
- (3) Where an application is rejected under section 72, the relevant licensing authority must forthwith give a notice to that effect, stating its reasons for that decision, to—
  - (a) the applicant,
  - (b) any person who made relevant representations in respect of the application, and
  - (c) the chief officer of police for the police area (or each police area) in which the premises are situated.
- (4) In this section “relevant representations” has the meaning given in section 72(6).

## 78 Form of certificate and summary

- (1) A club premises certificate and the summary of such a certificate must be in the prescribed form.
- (2) Regulations under subsection (1) must, in particular, provide for the certificate to—
  - (a) specify the name of the club and the address which is to be its relevant registered address, as defined in section 184(7);
  - (b) specify the address of the premises to which the certificate relates;
  - (c) include a plan of those premises;
  - (d) specify the qualifying club activities for which the premises may be used;
  - (e) specify the conditions subject to which the certificate [<sup>F28</sup>is issued]

### Textual Amendments

**F28** Words in s. 78(2)(e) substituted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), ss. 112, 116, [Sch. 7 para. 39](#); [S.I. 2010/125](#), [art. 2\(t\)](#)

## 79 Theft, loss, etc. of certificate or summary

- (1) Where a club premises certificate or summary is lost, stolen, damaged or destroyed, the club may apply to the relevant licensing authority for a copy of the certificate or summary.

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- (2) Subsection (1) is subject to regulations under section 92(1) (power to prescribe fee to accompany application).
- (3) Where an application is made in accordance with this section, the relevant licensing authority must issue the club with a copy of the certificate or summary (certified by the authority to be a true copy) if it is satisfied that—
  - (a) the certificate or summary has been lost, stolen, damaged or destroyed, <sup>F29</sup> ...
  - <sup>F29</sup>(b) .....
- (4) The copy issued under this section must be a copy of the club premises certificate or summary in the form in which it existed immediately before it was lost, stolen, damaged or destroyed.
- (5) This Act applies in relation to a copy issued under this section as it applies in relation to an original club premises certificate or summary.

#### Textual Amendments

**F29** S. 79(3)(b) and preceding word omitted (26.5.2015) by virtue of [Deregulation Act 2015 \(c. 20\)](#), **ss. 72(b)**, 115(7); S.I. 2015/994, art. 6(j)

### *Duration of certificate*

#### **80 Period of validity of club premises certificate**

- (1) A club premises certificate has effect until such time as—
  - (a) it is withdrawn under section 88 or 90, or
  - (b) it lapses by virtue of section 81(3) (surrender).
- (2) But a club premises certificate does not have effect during any period when it is suspended under section 88 [<sup>F30</sup> or 92A].

#### Textual Amendments

**F30** Words in s. 80(2) inserted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 120(4)**, 157(1) (with s. 120(6)); S.I. 2012/1129, art. 2(d)

#### **81 Surrender of club premises certificate**

- (1) Where a club which holds a club premises certificate decides to surrender it, the club may give the relevant licensing authority a notice to that effect.
- (2) The notice must be accompanied by the club premises certificate or, if that is not practicable, by a statement of the reasons for the failure to produce the certificate.
- (3) Where a notice is given in accordance with this section, the certificate lapses on receipt of the notice by the authority.

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### *Duty to notify certain changes*

## **82 Notification of change of name or alteration of rules of club**

- (1) Where a club—
  - (a) holds a club premises certificate, or
  - (b) has made an application for a club premises certificate which has not been determined by the relevant licensing authority,the secretary of the club must give the relevant licensing authority notice of any change in the name, or alteration made to the rules, of the club.
- (2) Subsection (1) is subject to regulations under section 92(1) (power to prescribe fee to accompany application).
- (3) A notice under subsection (1) by a club which holds a club premises certificate must be accompanied by the certificate or, if that is not practicable, by a statement of the reasons for the failure to produce the certificate.
- (4) An authority notified under this section of a change in the name, or alteration to the rules, of a club must amend the club premises certificate accordingly.
- (5) But nothing in subsection (4) requires or authorises the making of any amendment to a club premises certificate so as to change the premises to which the certificate relates (and no amendment made under that subsection to a club premises certificate has effect so as to change those premises).
- (6) If a notice required by this section is not given within the 28 days following the day on which the change of name or alteration to the rules is made, the secretary of the club commits an offence.
- (7) A person guilty of an offence under subsection (6) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

## **83 Change of relevant registered address of club**

- (1) A club which holds a club premises certificate may give the relevant licensing authority notice of any change desired to be made in the address which is to be the club's relevant registered address.
- (2) If a club which holds a club premises certificate ceases to have any authority to make use of the address which is its relevant registered address, it must as soon as reasonably practicable give to the relevant licensing authority notice of the change to be made in the address which is to be the club's relevant registered address.
- (3) Subsections (1) and (2) are subject to regulations under section 92(1) (power to prescribe fee to accompany application).
- (4) A notice under subsection (1) or (2) must also be accompanied by the club premises certificate or, if that is not practicable, by a statement of the reasons for the failure to produce the certificate.
- (5) An authority notified under subsection (1) or (2) of a change to be made in the relevant registered address of a club must amend the club premises certificate accordingly.
- (6) If a club fails, without reasonable excuse, to comply with subsection (2) the secretary commits an offence.



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(7) A person guilty of an offence under subsection (6) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(8) In this section “relevant registered address” has the meaning given in section 184(7).

### *Variation of certificates*

#### **84 Application to vary club premises certificate**

(1) A club which holds a club premises certificate may apply to the relevant licensing authority for variation of the certificate.

(2) Subsection (1) is subject to regulations under—

- (a) section 91 (form etc. of applications);
- (b) section 92 (fees to accompany applications).

(3) An application under this section must also be accompanied by the club premises certificate or, if that is not practicable, by a statement of the reasons for the failure to provide the certificate.

[<sup>F31</sup>(4) The functions of the Secretary of State under subsections (6) and (7) of section 71 (advertisements etc. of application) apply in relation to applications under this section as they apply in relation to applications under that section.]

#### **Textual Amendments**

**F31** S. 84(4) substituted (28.12.2009) by [The Provision of Services Regulations 2009 \(S.I. 2009/2999\)](#), [reg. 49\(10\)](#), (with regs. 2, 5)

#### **Commencement Information**

**I3** S. 84(4) in force at 16.12.2003 by [S.I. 2003/3222](#), [art. 2](#), [Sch.](#); s. 84(1)-(3) in force for certain purposes at 7.2.2005 and 7.8.2005 otherwise by [S.I. 2004/2360](#), [art. 2](#), [Sch.](#); [S.I. 2005/2090](#), [art. 2](#), [Sch.](#)

#### **85 Determination of application under section 84**

(1) This section applies where the relevant licensing authority—

- (a) receives an application, made in accordance with section 84, to vary a club premises certificate, and
- (b) is satisfied that the applicant has complied with any requirement imposed by virtue of subsection (4) of that section.

(2) Subject to subsection (3) and section 86(6), the authority must grant the application.

(3) Where relevant representations are made, the authority must—

- (a) hold a hearing to consider them, unless the authority, the applicant and each person who has made such representations agree that a hearing is unnecessary, and
- (b) having regard to the representations, take such of the steps mentioned in subsection (4) (if any) as it considers [<sup>F32</sup>appropriate] for the promotion of the licensing objectives.

(4) The steps are—

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- (a) to modify the conditions of the certificate;
  - (b) to reject the whole or part of the application;
- and for this purpose the conditions of the certificate are modified if any of them is altered or omitted or any new condition is added.
- (5) In this section “relevant representations” means representations which—
- (a) are about the likely effect of the grant of the application on the promotion of the licensing objectives, and
  - (b) meet the requirements of subsection (6).
- (6) The requirements are—
- (a) that the representations are made by [<sup>F33</sup>a responsible authority or other person] within the period prescribed under section 71(6)(c) by virtue of section 84(4),
  - (b) that they have not been withdrawn, and
  - (c) in the case of representations made by [<sup>F34</sup>a person who is not a responsible authority], that they are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
- (7) Subsections (2) and (3) are subject to sections 73 [<sup>F35</sup>to 74] (mandatory conditions relating to [<sup>F36</sup>alcohol] and to exhibition of films).

#### Textual Amendments

- F32** Word in s. 85(3)(b) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 110\(4\), 157\(1\)](#) (with s. 110(6)); S.I. 2012/1129, art. 2(d)
- F33** Words in s. 85(6)(a) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 107\(5\)\(a\), 157\(1\)](#) (with s. 107(9)); S.I. 2012/1129, art. 2(d)
- F34** Words in s. 85(6)(c) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 107\(5\)\(b\), 157\(1\)](#) (with s. 107(9)); S.I. 2012/1129, art. 2(d)
- F35** Words in s. 85(7) substituted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\), ss. 112, 116, Sch. 7 para. 40\(a\)](#); S.I. 2010/125, art. 2(t)
- F36** Words in s. 85(7) substituted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\), ss. 112, 116, Sch. 7 para. 40\(b\)](#); S.I. 2010/125, art. 2(t)

#### Commencement Information

- I4** S. 85 in force at 2.7.2005 for certain purposes and 7.8.2005 otherwise by [S.I. 2004/2360, art. 2\(1\), Sch.](#); [S.I. 2005/2090, art. 2, Sch.](#)

## 86 Supplementary provision about applications under section 84

- (1) Where an application (or any part of an application) is granted under section 85, the relevant licensing authority must forthwith give a notice to that effect to—
- (a) the applicant,
  - (b) any person who made relevant representations in respect of the application, and
  - (c) the chief officer of police for the police area (or each police area) in which the premises are situated.

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- (2) Where relevant representations were made in respect of the application, the notice under subsection (1) must specify the authority’s reasons for its decision as to the steps (if any) to take under section 85(3)(b).
- (3) The notice under subsection (1) must specify the time when the variation in question takes effect.

That time is the time specified in the application or, if that time is before the applicant is given the notice, such later time as the relevant licensing authority specifies in the notice.

- (4) Where an application (or any part of an application) is rejected under section 85, the relevant licensing authority must forthwith give a notice to that effect stating its reasons for rejecting the application to—
- (a) the applicant,
  - (b) any person who made relevant representations, and
  - (c) the chief officer of police for the police area (or each police area) in which the premises are situated.
- (5) Where the relevant licensing authority determines for the purposes of section 85(6)(c) that any representations are frivolous or vexatious, it must give the person who made them its reasons for that determination.
- (6) A club premises certificate may not be varied under section 85 so as to vary substantially the premises to which it relates.
- (7) In discharging its duty under subsection (2) or (3)(b) of that section, a licensing authority may vary a club premises certificate so that it has effect subject to different conditions in respect of—
- (a) different parts of the premises concerned;
  - (b) different qualifying club activities.
- (8) In this section “relevant representations” has the meaning given in section 85(5).

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#### Commencement Information

- I5** S. 86 in force at 2.7.2005 for certain purposes and otherwise at 7.8.2005 by [S.I. 2004/2360](#), [art. 2\(1\)](#), [Sch.](#); [S.I. 2005/2090](#), [art. 2](#), [Sch.](#)

#### *[<sup>F37</sup>Variation of certificates: minor variations*

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#### Textual Amendments

- F37** Ss. 86A-86C and cross-heading inserted (1.7.2009 for certain purposes and 29.7.2009 otherwise) by [The Legislative Reform \(Minor Variations to Premises Licences and Club Premises Certificates\) Order 2009 \(S.I. 2009/1772\)](#), [arts. 1, 3](#)

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### **86A Application for minor variation of club premises certificate**

- (1) Subject to subsection (3), a club which holds a club premises certificate may apply under this section (instead of under section 84) to the relevant licensing authority for variation of the certificate.
- (2) Subsection (1) is subject to regulations under—
  - (a) section 91 (form etc. of applications etc.);
  - (b) section 92 (fees to accompany applications etc.).
- (3) An application may not be made under this section to vary a club premises certificate so as to—
  - (a) vary substantially the premises to which it relates,
  - (b) add the supply of alcohol to members or guests as an activity authorised by the certificate, or
  - (c) authorise—
    - (i) the supply of alcohol to members or guests at any time between 11pm and 7am, or
    - (ii) an increase in the amount of time on any day during which alcohol may be supplied to members or guests.
- (4) The duty to make regulations imposed on the Secretary of State by subsection (6)(a) of section 71 (advertisement etc. of application) applies in relation to applications under this section as it applies in relation to applications under that section.

### **86B Determination of application under section 86A**

- (1) This section applies where the relevant licensing authority receives an application made under section 86A.
- (2) In determining the application the authority must—
  - (a) consult such of the responsible authorities as it considers appropriate, and
  - (b) take into account any relevant representations—
    - (i) made by those authorities, or
    - (ii) made by [<sup>F38</sup>any other person] and received by the authority within ten working days beginning on the initial day.
- (3) If the authority considers that—
  - (a) the variation proposed in the application could not have an adverse effect on the promotion of any of the licensing objectives, or
  - (b) if more than one variation is proposed, none of them, whether considered separately or together could have such an effect,
 it must grant the application.
- (4) In any other case the authority must reject the application.
- (5) A determination under this section must be made within the period of fifteen working days beginning on the initial day.
- (6) If at the expiry of the period referred to in subsection (5) the authority has not determined the application—
  - (a) the application is rejected, and
  - (b) the authority must forthwith return the fee that accompanied the application.

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- (7) But nothing in subsection (6) prevents the authority, with the agreement of the applicant, from treating—
- (a) an application rejected by virtue of that subsection (“the first application”) as a new application made under section 86A,
  - (b) the prescribed fee that accompanied the first application as the prescribed fee accompanying a new application, or
  - (c) both.
- (8) A new application of the kind referred to in subsection (7)(a) is to be treated as having been made on the date of the agreement referred to in that provision, or on such other date as is specified in the agreement.
- (9) Any fee owed to an applicant under subsection (6) may be recovered as a debt due to the applicant.
- (10) For the purposes of this section—
- “initial day” in relation to an application means the first working day after the day on which the authority receives the application;
- “relevant representations” in relation to an application means representations which are about the likely effect of the grant of the application on the promotion of the licensing objectives.

#### Textual Amendments

**F38** Words in s. 86B(2)(b)(ii) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 107\(6\)](#), [157\(1\)](#) (with [s. 107\(9\)](#)); [S.I. 2012/1129](#), [art. 2\(d\)](#)

### 86C Supplementary provision about determinations under section 86B

- (1) Where an application is granted under section 86B, the relevant licensing authority must forthwith give a notice to that effect to the applicant.
- (2) The notice under subsection (1) must specify—
  - (a) any variation of the club premises certificate which is to have effect as a result of the grant of the application, and
  - (b) the time at which that variation takes effect.
- (3) The time referred to in subsection (2)(b) is the time specified in the application or, if that time is before the applicant is given the notice referred to in subsection (2), such later time as the authority specifies in the notice.
- (4) Where an application is rejected under section 86B, the relevant licensing authority must forthwith give a notice to that effect to the applicant.
- (5) The notice under subsection (4) must include a statement by the authority of the reasons for its decision.]

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### *Review of certificates*

#### **87 Application for review of club premises certificate**

- [<sup>F39</sup>(1) Where a club holds a club premises certificate, a responsible authority or any other person may apply to the relevant licensing authority for a review of the certificate.]
- (2) Subsection (1) is subject to regulations under section 91 (form etc. of applications).
- (3) The Secretary of State must by regulations under this section—
- (a) require the applicant to give a notice containing details of the application to the club and each responsible authority within such period as may be prescribed;
  - <sup>F40</sup>(b) require the authority to advertise the application and invite representations relating to it to be made to the authority;
  - (c) prescribe the period during which representations may be made by the club, any responsible authority and any [<sup>F41</sup>other person];
  - (d) require any notice under paragraph (a) or advertisement under paragraph (b) to specify that period.
- (4) The relevant licensing authority may, at any time, reject any ground for review specified in an application under this section if it is satisfied—
- (a) that the ground is not relevant to one or more of the licensing objectives, or
  - (b) in the case of an application made by a person other than a responsible authority, that—
    - (i) the ground is frivolous or vexatious, or
    - (ii) the ground is a repetition.
- (5) For this purpose a ground for review is a repetition if—
- (a) it is identical or substantially similar to—
    - (i) a ground for review specified in an earlier application for review made in respect of the same club premises certificate and determined under section 88, or
    - (ii) representations considered by the relevant licensing authority in accordance with section 72, before it determined the application for the club premises certificate under that section, and
  - (b) a reasonable interval has not elapsed since that earlier application or that grant.
- (6) Where the authority rejects a ground for review under subsection (4)(b), it must notify the applicant of its decision and, if the ground was rejected because it was frivolous or vexatious, the authority must notify him of its reasons for making that decision.
- (7) The application is to be treated as rejected to the extent that any of the grounds for review are rejected under subsection (4).

Accordingly, the requirements imposed under subsection (3)(a) and (b) and by section 88 (so far as not already met) apply only to so much (if any) of the application as has not been rejected.

#### **Textual Amendments**

**F39** S. 87(1) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 108(2), 157(1)** (with s. 108(5)); S.I. 2012/1129, art. 2(d)

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**F40** Words in s. 87(3)(b) inserted (22.3.2012 for specified purposes, 25.4.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 108\(3\)\(a\), 157\(1\)](#) (with s. 108(5)); [S.I. 2012/896, art. 2\(d\)](#); [S.I. 2012/1129, art. 2\(d\)](#)

**F41** Words in s. 87(3)(c) substituted (22.3.2012 for specified purposes, 25.4.2012 in so far as not already in force) by [Police Reform and Social Responsibility Act 2011 \(c. 13\), ss. 108\(3\)\(b\), 157\(1\)](#) (with s. 108(5)); [S.I. 2012/896, art. 2\(d\)](#); [S.I. 2012/1129, art. 2\(d\)](#)

#### Commencement Information

**16** S. 87(3) in force at 16.12.2003 by [S.I. 2003/3222, art. 2, Sch.](#); s. 87 otherwise in force at 24.11.2005 by [S.I. 2005/3056, art. 2](#) (with [Sch.](#))

## 88 Determination of application for review

- (1) This section applies where—
  - (a) the relevant licensing authority receives an application made in accordance with section 87,
  - (b) the applicant has complied with any requirement imposed by virtue of subsection (3)(a) or (d) of that section, and
  - (c) the authority has complied with any requirement imposed on it under subsection (3)(b) or (d) of that section.
- (2) Before determining the application, the authority must hold a hearing to consider it and any relevant representations.
- (3) The authority must, having regard to the application and any relevant representations, take such of the steps mentioned in subsection (4) (if any) as it considers [<sup>F42</sup>appropriate] for the promotion of the licensing objectives.
- (4) The steps are—
  - (a) to modify the conditions of the certificate;
  - (b) to exclude a qualifying club activity from the scope of the certificate;
  - (c) to suspend the certificate for a period not exceeding three months;
  - (d) to withdraw the certificate;
 and for this purpose the conditions of the certificate are modified if any of them is altered or omitted or any new condition is added.
- (5) Subsection (3) is subject to sections 73 [<sup>F43</sup>to 74] (mandatory conditions relating to [<sup>F44</sup>alcohol] and to exhibition of films).
- (6) Where the authority takes a step within subsection (4)(a) or (b), it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.
- (7) In this section “relevant representations” means representations which—
  - (a) are relevant to one or more of the licensing objectives, and
  - (b) meet the requirements of subsection (8).
- (8) The requirements are—
  - (a) that the representations are made by the club, a responsible authority or [<sup>F45</sup>any other person] within the period prescribed under section 87(3)(c),
  - (b) that they have not been withdrawn, and

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- (c) if they are made by [<sup>F46</sup>a person who is not a responsible authority], that they are not, in the opinion of the relevant licensing authority, frivolous or vexatious.
- (9) Where the relevant licensing authority determines that any representations are frivolous or vexatious, it must give the person who made them its reasons for that determination.
- (10) Where a licensing authority determines an application for review under this section it must notify the determination and its reasons for making it to—
- (a) the club,
  - (b) the applicant,
  - (c) any person who made relevant representations, and
  - (d) the chief officer of police for the police area (or each police area) in which the premises are situated.
- (11) A determination under this section does not have effect—
- (a) until the end of the period given for appealing against the decision, or
  - (b) if the decision is appealed against, until the appeal is disposed of.

#### Textual Amendments

- F42** Word in s. 88(3) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 110\(5\)](#), [157\(1\)](#) (with [s. 110\(6\)](#)); [S.I. 2012/1129](#), [art. 2\(d\)](#)
- F43** Words in s. 88(5) substituted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), [ss. 112](#), [116](#), [Sch. 7 para. 41\(a\)](#); [S.I. 2010/125](#), [art. 2\(t\)](#)
- F44** Words in s. 88(5) substituted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), [ss. 112](#), [116](#), [Sch. 7 para. 41\(b\)](#); [S.I. 2010/125](#), [art. 2\(t\)](#)
- F45** Words in s. 88(8)(a) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 108\(4\)\(a\)](#), [157\(1\)](#) (with [s. 108\(5\)](#)); [S.I. 2012/1129](#), [art. 2\(d\)](#)
- F46** Words in s. 88(8)(c) substituted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 108\(4\)\(b\)](#), [157\(1\)](#) (with [s. 108\(5\)](#)); [S.I. 2012/1129](#), [art. 2\(d\)](#)

## 89 Supplementary provision about review

- (1) This section applies where a local authority is both—
- (a) the relevant licensing authority, and
  - (b) a responsible authority,
- in respect of any premises.
- (2) The authority may, in its capacity as responsible authority, apply under section 87 for a review of any club premises certificate in respect of the premises.
- (3) The authority may in its capacity as licensing authority determine that application.

### *Withdrawal of certificates*

## 90 Club ceasing to be a qualifying club

- (1) Where—
- (a) a club holds a club premises certificate, and



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- (b) it appears to the relevant licensing authority that the club does not satisfy the conditions for being a qualifying club in relation to a qualifying club activity to which the certificate relates (see section 61),
- the authority must give a notice to the club withdrawing the certificate, so far as relating to that activity.
- (2) Where the only reason that the club does not satisfy the conditions for being a qualifying club in relation to the activity in question is that the club has fewer than the required number of members, the notice withdrawing the certificate must state that the withdrawal—
- (a) does not take effect until immediately after the end of the period of three months following the date of the notice, and
- (b) will not take effect if, at the end of that period, the club again has at least the required number of members.
- (3) The references in subsection (2) to the required number of members are references to the minimum number of members required by condition 4 in section 62(5) (25 at the passing of this Act).
- (4) Nothing in subsection (2) prevents the giving of a further notice of withdrawal under this section at any time.
- (5) Where a justice of the peace is satisfied, on information on oath, that there are reasonable grounds for believing—
- (a) that a club which holds a club premises certificate does not satisfy the conditions for being a qualifying club in relation to a qualifying club activity to which the certificate relates, and
- (b) that evidence of that fact is to be obtained at the premises to which the certificate relates,
- he may issue a warrant authorising a constable to enter the premises, if necessary by force, at any time within one month from the time of the issue of the warrant, and search them.
- (6) A person who enters premises under the authority of a warrant under subsection (5) may seize and remove any documents relating to the business of the club in question.

### *General provision*

## **91 Form etc. of applications and notices under Part 4**

In relation to any application or notice under this Part, regulations may prescribe—

- (a) its form;
- (b) the manner in which it is to be made or given;
- (c) information and documents that must accompany it.

## **92 Fees**

- (1) Regulations may—
- (a) require applications under any provision of this Part (other than section 87) to be accompanied by a fee, and
- (b) prescribe the amount of the fee.

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- [<sup>F47</sup>(1A) Subsection (1) is subject to regulations under section 134(2)(c)(ii) of the Police Reform and Social Responsibility Act 2011 (exemption from fees for variation applications prior to introduction of late night levy).]
- (2) Regulations may also require the payment of an annual fee to the relevant licensing authority by or on behalf of a club which holds a club premises certificate.
- (3) Regulations under subsection (2) may include provision—
- (a) imposing liability for the making of the payment on the secretary or such other officers or members of the club as may be prescribed,
  - (b) prescribing the amount of any such fee, and
  - (c) prescribing the time at which any such fee is due.
- (4) Any fee which is owed to a licensing authority under subsection (2) may be recovered as a debt due to the authority from any person liable to make the payment by virtue of subsection (3)(a).

#### Textual Amendments

**F47** S. 92(1A) inserted (31.10.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), [ss. 139\(3\)](#), [157\(1\)](#) (with [s. 138](#)); [S.I. 2012/2670](#), [art. 2\(b\)](#)

#### [<sup>F48</sup>92A Suspension of club premises certificate for failing to pay annual fee

- (1) A licensing authority must suspend a club premises certificate if the holder of the certificate has failed to pay the authority an annual fee that has become due under section 92(2).
- (2) Subsection (1) does not apply if—
- (a) either—
    - (i) the holder's failure to pay the fee at the time it became due was because of an administrative error (whether made by the holder, the authority or anyone else), or
    - (ii) before or at the time the fee became due, the holder notified the authority in writing that the holder disputed liability for, or the amount of, the fee, and
  - (b) the grace period for payment of the fee has not expired (see subsection (8)).
- (3) If a licensing authority suspends a club premises certificate under subsection (1), the authority must give the holder of the certificate a notice to that effect, specifying the day the suspension takes effect.
- (4) A day specified in a notice under subsection (3) must be at least 2 working days after the day the authority gives the notice.
- (5) If the holder of the certificate pays the annual fee, the licensing authority must give the holder written acknowledgement of receipt of the fee.
- (6) The acknowledgement of receipt under subsection (5) must—
- (a) specify the day the authority received the fee (the “receipt day”), and
  - (b) be given to the holder as soon as is reasonably practicable but in any event—

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- (i) if the receipt day was a working day, before the end of the first working day after the receipt day,
  - (ii) otherwise, before the end of the second working day after the receipt day.
- (7) A suspension of a club premises certificate under subsection (1)—
- (a) takes effect on the day specified in the notice under subsection (3), and
  - (b) ceases to have effect on the receipt day, as specified in the acknowledgement of receipt under subsection (5).
- (8) In this section, the “grace period” for payment of a fee is the period of 21 days, beginning on the day after the day the fee became due.]

#### Textual Amendments

**F48** S. 92A inserted (25.4.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 120(5), 157(1)** (with s. 120(6)); S.I. 2012/1129, art. 2(d)

#### Modifications etc. (not altering text)

**C1** S. 92A applied (with modifications) (31.10.2012) by [Police Reform and Social Responsibility Act 2011 \(c. 13\)](#), **ss. 129(6)(b), 157(1)** (with s. 138); S.I. 2012/2670, art. 2(b)

*Production of certificate, rights of entry, etc.*

### 93 Licensing authority’s duty to update club premises certificate

- (1) Where—
- (a) the relevant licensing authority, in relation to a club premises certificate, makes a determination or receives a notice under this Part, or
  - (b) an appeal against a decision under this Part is disposed of,
- the relevant licensing authority must make the appropriate amendments (if any) to the certificate and, if necessary, issue a new summary of the certificate.
- (2) Where a licensing authority is not in possession of the club premises certificate, it may, for the purpose of discharging its obligations under subsection (1), require the secretary of the club to produce the certificate to the authority within 14 days from the date on which the club is notified of the requirement.
- (3) A person commits an offence if he fails, without reasonable excuse, to comply with a requirement under subsection (2).
- (4) A person guilty of an offence under subsection (3) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

### 94 Duty to keep and produce certificate<sup>[F49]</sup> etc.]

- (1) This section applies whenever premises in respect of which a club premises certificate has effect are being used for one or more qualifying club activities authorised by the certificate.
- (2) The secretary of the club must secure that the certificate, or a certified copy of it, <sup>[F50]</sup>and a list of any relevant mandatory conditions applicable to the certificate are]

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kept at the premises in the custody or under the control of a person (the “nominated person”) who—

- (a) falls within subsection (3),
- (b) has been nominated for the purpose by the secretary in writing, and
- (c) has been identified to the relevant licensing authority in a notice given by the secretary.

(3) The persons who fall within this subsection are—

- (a) the secretary of the club,
- (b) any member of the club,
- (c) any person who works at the premises for the purposes of the club.

(4) The nominated person must secure that—

- (a) the summary of the certificate or a certified copy of that summary, and
- (b) a notice specifying the position which he holds at the premises, are prominently displayed at the premises.

(5) The secretary commits an offence if he fails, without reasonable excuse, to comply with subsection (2).

(6) The nominated person commits an offence if he fails, without reasonable excuse, to comply with subsection (4).

(7) A constable or an authorised person may require the nominated person to produce the club premises certificate (or certified copy [<sup>F51</sup>or any list of relevant mandatory conditions]) for examination.

(8) An authorised person exercising the power conferred by subsection (7) must, if so requested, produce evidence of his authority to exercise the power.

(9) A person commits an offence if he fails, without reasonable excuse, to produce a club premises certificate or certified copy of a club premises certificate [<sup>F52</sup>or a list of relevant mandatory conditions] in accordance with a requirement under subsection (7).

(10) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 2 on the standard scale.

(11) In subsection (4) the reference to the summary of the certificate is a reference to the summary issued under section 77 or, where one or more summaries have subsequently been issued under section 93, the most recent summary to be so issued.

(12) Section 95 makes provision about certified copies of club premises certificates and of summaries of club premises certificates for the purposes of this section.

[<sup>F53</sup>(13) In this section “relevant mandatory conditions”, in relation to a club premises certificate, means conditions applicable to the certificate by virtue of section 73A or 73B.]

#### Textual Amendments

**F49** S. 94: word in heading inserted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), ss. 112, 116, [Sch. 7 para. 42\(2\)](#); S.I. 2010/125, [art. 2\(t\)](#)

**F50** Words in s. 94(2) substituted (29.1.2010) by [Policing and Crime Act 2009 \(c. 26\)](#), ss. 112, 116, [Sch. 7 para. 42\(3\)](#); S.I. 2010/125, [art. 2\(t\)](#)

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- F51** Words in s. 94(7) inserted (29.1.2010) by Policing and Crime Act 2009 (c. 26), ss. 112, 116, **Sch. 7 para. 42(4)**; S.I. 2010/125, **art. 2(t)**
- F52** Words in s. 94(9) inserted (29.1.2010) by Policing and Crime Act 2009 (c. 26), ss. 112, 116, **Sch. 7 para. 42(5)**; S.I. 2010/125, **art. 2(t)**
- F53** S. 94(13) inserted (29.1.2010) by Policing and Crime Act 2009 (c. 26), ss. 112, 116, **Sch. 7 para. 42(6)**; S.I. 2010/125, **art. 2(t)**

## 95 Provision supplementary to section 94

- (1) Any reference in section 94 to a certified copy of a document is a reference to a copy of the document which is certified to be a true copy by—
- the relevant licensing authority,
  - a solicitor or notary, or
  - a person of a prescribed description.
- (2) Any certified copy produced in accordance with a requirement under subsection 94(7) must be a copy of the document in the form in which it exists at the time.
- (3) A document which purports to be a certified copy of a document is to be taken to be such a copy, and to comply with the requirements of subsection (2), unless the contrary is shown.
- [<sup>F54</sup>(4) In this section “notary” means a person (other than a solicitor) who, for the purposes of the Legal Services Act 2007, is an authorised person in relation to any activity which constitutes a notarial activity (within the meaning of that Act).]

### Textual Amendments

- F54** S. 95(4) inserted (1.1.2010) by Legal Services Act 2007 (c. 29), ss. 208, 211, **Sch. 21 para. 141** (with ss. 29, 192, 193); S.I. 2009/3250, **art. 2(h)**

### Commencement Information

- I7** S. 95(1)(c) in force at 16.12.2003 by S.I. 2003/3222, **art. 2**, **Sch.** and s. 95 in force otherwise at 24.11.2005 by S.I. 2005/3056, **art. 2(2)**

## 96 Inspection of premises before grant of certificate etc.

- (1) Subsection (2) applies where—
- a club applies for a club premises certificate in respect of any premises,
  - a club applies under section 84 for the variation of a club premises certificate held by it, or
  - an application is made under section 87 for review of a club premises certificate.
- (2) On production of his authority—
- an authorised person, or
  - a constable authorised by the chief officer of police,
- may enter and inspect the premises.
- (3) Any entry and inspection under this section must take place at a reasonable time on a day—

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- (a) which is not more than 14 days after the making of the application in question, and
  - (b) which is specified in the notice required by subsection (4).
- (4) Before an authorised person or constable enters and inspects any premises under this section, at least 48 hours' notice must be given to the club.
- (5) Any person obstructing an authorised person in the exercise of the power conferred by this section commits an offence.
- (6) A person guilty of an offence under subsection (5) is liable on summary conviction to a fine not exceeding level 2 on the standard scale.
- (7) The relevant licensing authority may, on the application of a responsible authority, extend by not more than 7 days the time allowed for carrying out an entry and inspection under this section.
- (8) The relevant licensing authority may allow such an extension of time only if it appears to the authority that—
- (a) reasonable steps had been taken for an authorised person or constable authorised by the applicant to inspect the premises in good time, but
  - (b) it was not possible for the inspection to take place within the time allowed.

#### Commencement Information

- I8** S. 96(1)(a)(2)-(8) in force at 7.2.2005 and s. 96(1)(b) in force for certain purposes at 7.2.2005 and 24.11.2005 otherwise by [S.I. 2004/2360](#), [art. 2](#), [Sch.](#); [S.I. 2005/3056](#), [art. 2](#) (with [Sch.](#))

## 97 Other powers of entry and search

- (1) Where a club premises certificate has effect in respect of any premises, a constable may enter and search the premises if he has reasonable cause to believe—
- (a) that an offence under section 4(3)(a), (b) or (c) of the Misuse of Drugs Act 1971 (c. 38) (supplying or offering to supply, or being concerned in supplying or making an offer to supply, a controlled drug) has been, is being, or is about to be, committed there, <sup>F55</sup>...
  - [<sup>F56</sup>(aa) that an offence under section 5(1) or (2) of the Psychoactive Substances Act 2016 (supplying, or offering to supply, a psychoactive substance) has been, is being, or is about to be, committed there, or]
  - (b) that there is likely to be a breach of the peace there.
- (2) A constable exercising any power conferred by this section may, if necessary, use reasonable force.

#### Textual Amendments

- F55** Word in [s. 97\(1\)](#) omitted (26.5.2016) by virtue of [Psychoactive Substances Act 2016 \(c. 2\)](#), [s. 63\(2\)](#), [Sch. 5 para. 5\(2\)](#); [S.I. 2016/553](#), [reg. 2](#)
- F56** [S. 97\(1\)\(aa\)](#) inserted (26.5.2016) by [Psychoactive Substances Act 2016 \(c. 2\)](#), [s. 63\(2\)](#), [Sch. 5 para. 5\(2\)](#); [S.I. 2016/553](#), [reg. 2](#)

**Changes to legislation:**

Licensing Act 2003, Part 4 is up to date with all changes known to be in force on or before 20 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 5A inserted by [2015 c. 20 s. 67\(2\)](#)Sch. 17
- s. 2(1A) inserted by [2015 c. 20 s. 67\(1\)](#)
- s. 10(4)(e) and word inserted by [2011 c. 13 s. 121\(3\)\(b\)](#)
- s. 140(2)(e) inserted by [2015 c. 20 s. 67\(4\)\(b\)](#)
- s. 141(2)(e) inserted by [2015 c. 20 s. 67\(5\)\(b\)](#)
- s. 143(2)(e) inserted by [2015 c. 20 s. 67\(6\)\(b\)](#)
- s. 144(2)(e) inserted by [2015 c. 20 s. 67\(7\)\(b\)](#)
- s. 147A(4)(c) inserted by [2015 c. 20 s. 67\(8\)\(b\)](#)
- s. 153(4)(d) inserted by [2015 c. 20 s. 67\(9\)\(b\)](#)
- s. 197(3)(cza) inserted by [2015 c. 20 s. 67\(12\)\(a\)](#)
- s. 197A197B inserted by [2011 c. 13 s. 121\(2\)](#)

## **Revised Guidance issued under section 182 of the Licensing Act 2003**

### **6. Club premises certificates**

6.1 This Chapter covers the administration of the processes for issuing, varying, and reviewing club premises certificates and other associated procedures.

#### **General**

6.2 Clubs are organisations where members have joined together for particular social, sporting or political purposes. They may then combine to buy alcohol in bulk as members of the organisation to supply in the club.

6.3 Technically the club only sells alcohol by retail at such premises to guests. Where members purchase alcohol, there is no sale (as the member owns part of the alcohol stock) and the money passing across the bar is merely a mechanism to preserve equity between members where one may consume more than another.

6.4 Only 'qualifying' clubs may hold club premises certificates. In order to be a qualifying club, a club must have at least 25 members and meet the qualifying conditions set out in paragraph 6.9. The grant of a club premises certificate means that a qualifying club is entitled to certain benefits. These include:

- the authority to supply alcohol to members and sell it to guests on the premises to which the certificate relates without the need for any member or employee to hold a personal licence;
- the authority to provide late night refreshment to members of the club without requiring additional authorisation;
- more limited rights of entry for the police and authorised persons because the premises are considered private and not generally open to the public; and
- exemption from orders of the magistrates' court for the closure of all licensed premises in an area when disorder is happening or expected.

6.5 Qualifying clubs should not be confused with proprietary clubs, which are clubs run commercially by individuals, partnerships or businesses for profit. These require a premises licence and are not qualifying clubs.

6.6 A qualifying club will be permitted under the terms of a club premises certificate to sell and supply alcohol to its members and their guests only. Instant membership is not permitted and members must wait at least two days between their application and their admission to the club. A qualifying club may choose to apply for a premises licence if it decides that it wishes to offer its facilities commercially for use by the general public, including the sale of alcohol to them. However, an individual on behalf of a club may give temporary event notices. See Chapter 7.



6.7 The 2003 Act does not prevent visitors to a qualifying club being supplied with alcohol as long as they are 'guests' of any member of the club, and nothing in the 2003 Act prevents the admission of such people as guests without prior notice. The 2003 Act does not define "guest" and whether or not somebody is a genuine guest would in all cases be a question of fact.

6.8 There is no mandatory requirement under the 2003 Act for guests to be signed in by a member of the club. However, a point may be reached where a club is providing commercial services to the general public in a way that is contrary to its qualifying club status. It is at this point that the club would no longer be conducted in "good faith" and would no longer meet "general condition 3" for qualifying clubs in section 62 of the 2003 Act. Under the 2003 Act, the licensing authority must decide when a club has ceased to operate in "good faith" and give the club a notice withdrawing the club premises certificate. The club is entitled to appeal against such a decision to a magistrates' court. Unless the appeal is successful, the club would need to apply for a premises licence to authorise licensable activities taking place there.

## **Qualifying conditions**

6.9 Section 62 of the 2003 Act sets out five general conditions which a relevant club must meet to be a qualifying club. Section 63 also sets out specified matters for licensing authorities to enable them to determine whether a club is established and conducted in good faith – the third qualifying condition. Section 64 sets out additional conditions which only need to be met by clubs intending to supply alcohol to members and guests. Section 90 of the 2003 Act gives powers to the licensing authority to issue a notice to a club withdrawing its certificate where it appears that it has ceased to meet the qualifying conditions. There is a right of appeal against such a decision.

## **Associate members and guests**

6.10 As well as their own members and guests, qualifying clubs are also able to admit associate members and their guests (i.e. members and guests from another 'recognised club' as defined by section 193 of the 2003 Act) to the club premises when qualifying club activities are being carried on without compromising the use of their club premises certificate.

## **Applications for the grant or variation of club premises certificates**

6.11 The arrangements for applying for or seeking to vary club premises certificates are extremely similar to those for a premises licence. Clubs may also use the minor variation process to make small changes to their certificates as long as these could have no adverse impact on the licensing objectives. Licensing authorities should refer to Chapter 8 of this Guidance on the handling of such applications. Licensing authorities do not have to satisfy themselves that applicants for club premises certificates are entitled to work in the UK before issuing a club premises certificate. Consequently, Home Office Immigration Enforcement is not a responsible authority in relation to club premises certificates.

6.12 In addition to a plan of the premises and a club operating schedule, clubs must also include the rules of the club with their application (as well as making a declaration to the licensing authority in accordance with regulations made under the 2003 Act). On notifying any alteration to these rules to the licensing authority, the club is required to pay a fee set down in regulations. Licensing authorities cannot require any changes to the rules to be made as a condition of receiving a certificate unless relevant representations have been made. However, if a licensing authority is satisfied that the rules of a club indicate that it does not meet the qualifying conditions in the 2003 Act, a club premises certificate should not be granted.

### **Steps needed to promote the licensing objectives**

6.13 Club operating schedules prepared by clubs, must include the steps it intends to take to promote the licensing objectives. These will be translated into conditions included in the certificate unless the conditions have been modified by the licensing authority following consideration of relevant representations. Guidance on these conditions is given in Chapter 10 of this Guidance.