

Community Premises and the Licensing Act 2003, sale of alcohol.

As with any other premises, licensable activities (music, dancing, plays, films and so on) at community premises must be authorised under the Licensing Act 2003.

Village halls where such activities take place, but where there is no licence for sale or supply of alcohol, still need a premises licence but there is no charge.

Many halls use their “booking conditions” to make hirers responsible for using TENs to legalise sale of alcohol. The limit of twelve TENs per year has been insufficient for some halls. Management committees may have avoided getting a full licence for two reasons – it is not always easy to find a suitably qualified person (acting as a volunteer or otherwise) to run the bar and be named on the licence as “designated premises supervisor” (DPS), and, in addition, a premises licence including sale of alcohol attracts an annual maintenance fee based on rateable value.

The Government has decided that from July 2009, on application, management committees of community premises can elect to be jointly and severally responsible for alcohol sales, instead of struggling to find a DPS or having to refuse bookings because of the limits on TENs.

Community halls are defined as premises “genuinely made available for the community benefit most of the time, and accessible by a broad range of persons and sectors of the local community for purposes which include purposes beneficial to the community as a whole” and they are “usually multi-purpose and a variety of activities can be expected to take place in them, such as playschools, indoor sports, youth clubs and public meetings.” They must not be “just for the particular organisation in question”. A private hall that can be hired is not a community premises.

Halls currently with alcohol sale included in their licence can apply to have the DPS requirement “dis-applied” with legal responsibility for offences passed to the management committee – the cost is currently £23. There is no advertising requirement.

Halls benefiting from a premises licence but with no authority to sell alcohol are able to apply for a new (or varied) licence and can concurrently apply for the DPS dis-application. An annual maintenance fee will then become payable on the anniversary of the date of grant of the original licence (so choosing when to apply might be important). The normal application fee applies (based on rateable value).

Halls currently relying on TEN’s alone might want to consider applying for a premises licence, with the flexibility inherent in the new scheme. The normal application fee applies.

In any case, by arrangement we are happy to advise and help with applications.

Get help at:

Licensing Unit,
Environmental Services,
Wychavon District Council, Civic Centre,
Queen Elizabeth Drive,
Persore, Worcestershire, WR10 1PT.

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