

Club Premises Certificates are the new “licence” authorising qualifying clubs to use club premises for “qualifying club activities” which are:

- the supply of alcohol by or on behalf of a club to a member for consumption on the premises
- the sale by retail of alcohol by or on behalf of a club to a guest of a member for consumption on the premises, and
- the provision of regulated entertainment by or on behalf of a club for its members and guests.

Definition of a Qualifying Club

There must be an interval of at least two days between a member’s nomination /application for membership and their admission. There must be at least 25 members, and we will confirm whether clubs are established and conducted in ‘good faith.’

The Application Process

Ask us for an application pack - or download the forms yourself from <http://www.culture.gov.uk>. Choose the “alcohol and entertainment” section on the left, then navigate to “application forms”.

To apply as a new club, two forms are needed: the application form and a “declaration for a club premises certificate to be granted under the Licensing Act 2003”. To make changes to an existing Club Premises Certificate you will need to complete an “application to vary club premises certificate”.

Before applying for a new certificate, or to vary an existing one, you should:

1. read our statement of licensing policy (from our web site, or will be sent on request), and the notes at the end of the application form;
2. talk to - and take advice from - the responsible authorities, particularly the Police, to make sure that you have put in place all reasonable management controls and minimise the likelihood of them objecting, and
3. be able to demonstrate using the application form that the changes you propose won't have a negative effect on the local community.

On the application form you will need to provide:

- Details of the steps you will take to address the four licensing objectives - protection of children, prevention of crime and disorder, prevention of public nuisance and protection of public safety.
- Details of qualifying club activities, including whether you have different rooms in your premises that you wish to operate with different times or with different activities; and
- When you want to be able to offer each activity;

You will also have to give us:

- The fee (cheque payable to Wychavon District Council; or pay online or over the phone or by cash at our offices),
- The Declaration (new clubs only – see below), and a
- Plan of premises - in accordance with the Regulations (see below)

Filling in the Declaration for a Club Premises Certificate to be Granted

This form asks clubs to confirm that they meet all of the conditions laid down in the licensing act, and to give evidence of this by reference to their Club Rules.

To help in completion of the form:

Condition one relates to rules of membership, confirming that a period of at least two days must elapse before people who have applied for membership may be admitted.

Condition two – persons becoming members without prior nomination / 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.

Condition three – the club is established and conducted in good faith as a club

Condition four – there must be at least 25 members.

Condition five – alcohol is not supplied, or intended to be supplied, to members on the premises otherwise than by or on behalf of the club.

Question 2: this question relates only to Miner's clubs.

Question 3: this needs to be completed only if question one can't be answered. In this question, conditions 4 and 5 are as above: and the additional conditions are:

- Additional condition 1 in section 64(2) of the Act" is that (so far as not managed by the club in general meeting...) the purchase of alcohol for the club, and the supply of alcohol by the club, are managed by a committee whose members are elected members of the club, and are over 18;
- 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;
- Additional condition 3 is that no one person directly, or indirectly, derives pecuniary benefit from the supply of alcohol by or on behalf of the club to members or guests, apart from benefit accruing to the club as a whole or 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.

The application must be sent to us with a copy sent by you to each of the responsible authorities (listed below). Once you've sent off the forms, you have to advertise the application by:

- Placing a public notice in a newspaper circulating in the area (local press - Newsquest Midlands, phone 01905 748300) within ten days of making your application.
- by posting a notice at the club premises for 28 days from the day that you apply. The notice has to be at least A4 size, on pale blue paper, printed legibly in black at font size 16 or larger. It must be capable of being conveniently read by passers by. For premises larger than 50 metres square, posters must be displayed every 50 metres along any external perimeters abutting a highway.

The notices in the press and at the club must contain the words illustrated in the attached form; electronic copies can be downloaded from our web site.

If no objections are received then we will grant your application with no hearing subject to the mandatory conditions detailed in the Licensing Act 2003 and any conditions referred to in your operating schedule.

Objections

If there are valid objections, applications are determined at a public hearing before our Licensing Sub-Committee. Both the Club and objectors can speak, and the Committee will determine the application in the light of our statement of licensing policy and the Secretary of State's Guidance on the Act.

Making minor changes (variation) to existing Club Premises Certificates

A club premises certificate can be "varied", to take advantage of the flexibility offered by the new licensing regime. Examples include extended hours all year, or on a seasonal basis, permission to serve hot food

after 11.00pm, removal of existing conditions and restrictions and adding additional qualifying club activities, such as music/ dancing/ indoor sporting events.

If we don't grant an application to vary a certificate within 2 months from the date we receive it, it is deemed to have been refused and you will need to either apply for a new club premises certificate, or lodge an appeal with the Magistrates' Court.

The Plan:

The scale plan of the building - unless we agree in writing beforehand - must comply with the Regulations, which state:

The plan shall be drawn at a scale of 1:100 and shall show –

- (a) The extent of the boundary of the building, if relevant, and any external and internal walls of the building and, if different, the perimeter of the premises;
- (b) The location of points of access to and egress from the premises;
- (c) If different from paragraph (1)(b), the location of escape routes from the premises;
- (d) In a case where the premises is used for more than one existing licensable activity or qualifying club activity, the area within the premises used for each activity;
- (e) Fixed structures (including furniture) or similar objects temporarily in a fixed location (but not furniture) which may impact on the ability of individuals on the premises to use exits or escape routes without impediment;
- (f) In a case where the premises includes a stage or raised area, the location and height of each stage or area relative to the floor;
- (g) In a case where the premises includes any steps, stairs, elevators or lifts, the location of the steps, stairs, elevators or lifts;
- (h) In a case where the premises includes any room or rooms containing public conveniences, the location of the room or rooms;
- (i) The location and type of any fire safety and any other safety equipment; and
- (j) The location of a kitchen, if any, on the premises.

The plan may include a legend through which the matters mentioned are sufficiently illustrated by the use of symbols on the plan.

The responsible authorities:

Applications for new or varied club premises certificates must be served on us, with copies sent to each appropriate "responsible authority" listed below.

"Responsible Authorities" are defined at Section 13(4) of the Licensing Act 2003. Contact details for those bodies that we recognise are given below.

The Chief Officer of Police

C/o Licensing Officer
West Mercia Constabulary
Police Station
Castle Street
Worcester, WR1 3AD Phone 01905 331037
Email: licensing.southworcesters@westmercia.pnn.police.uk

**Before applying,
applicants should take
advice from the
responsible authorities to
minimise likelihood of
objections.**

Hereford & Worcester Fire and Rescue Service,

Fire Safety Department,
The Fire Station,
Worcester Road, Malvern Link,
Worcestershire. WR14 1TD Phone 01684 572948 Fax 01684 572190
Website <http://www.hwfire.org.uk>

The **health and safety enforcing authority for the premises:** There are two choices, If you don't know which applies, then phone us. Normally the correct authority will be Wychavon.

Health & Safety Team,

Environmental Health
Wychavon District Council
Civic Centre
Queen Elizabeth Drive
Persnore
Worcs., WR10 1PT
Phone 01386 565015
Fax 01386 561826
Web <http://www.wychavon.gov.uk/es>

But you may need to notify:

The Health and Safety Executive

Haswell House
St Nicholas Street
Worcester
WR1 1UW
Phone 01905 743600

The Planning Service Centre

Wychavon District Council
Civic Centre
Queen Elizabeth Drive
Persnore
Worcs., WR10 1PT Phone 01386 565135

The Environmental Protection Section,

Environmental Services
Wychavon District Council
Civic Centre
Queen Elizabeth Drive
Persnore
Worcs., WR10 1PT Phone 01386 565015, Fax 01386 561826

Alan Ferguson

Child Protection Service Manager, Safeguarding Quality and Assurance

Wildwood Way
Worcester, WR5 2NP Phone 01905 728841

Head of Trading Standards

Trading Standards & Scientific Services
Worcestershire County Council, County Hall
Wildwood Way, Worcester WR5 2NP Phone - 01905 765394, Fax - 01905 765393

Plus - any other adjoining licensing authority (other than the relevant licensing authority) in whose area part of the premises is situated.

Fees

Fees are set by Government and are intended to recover the licensing authorities' costs of administrating, inspecting and enforcing the new regime. This is not an exhaustive list.

RATEABLE VALUE	Application Fee	Annual fee
No rateable value up to £4,300 (band A)	£100	£70
£4,301 to £33,000 (band B)	£190	£180
£33,001 to £87,000 (band C)	£315	£295
£87,001 to £125,000 (band D)	£450	£320
£125,001 and above (band E)	£635	£350

Replacement copy of any licence/ certificate or the summary	£10.50
Notification of change of name or address (any licence or certificate)	£10.50

Public Notice - Licensing Act 2003

Take Notice that

(insert name of applicant)

Has applied to Wychavon District Council [for the grant of]/ [to vary a] Club Premises Certificate (delete as applicable) **in respect of premises known as:** (insert name and address of premises)

The proposed [variations]/ [activities] are as follows:- (list proposed changes to licensable or club activities and days and times between which these activities will take place)

The place where the record of the application may be inspected and where the register of the Licensing Authority is kept is the Licensing Unit, Wychavon District Council, Civic Centre, Queen Elizabeth Drive, Pershore, Worcs., WR10 1PT. The record of the application may be inspected between 9am and 5pm Monday to Friday or at any time at www.wychavon.gov.uk

An interested party or responsible authority may make a representation in writing to the Licensing Unit Leader, Wychavon District Council, Queen Elizabeth Drive, Pershore, Worcs., WR10 1PT by (insert date - the 28th consecutive day following the day after the date on which you give us your application).

It is an offence to knowingly or recklessly make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence is level 5 on the standard scale (currently £5000).