

SPELTHORNE BOROUGH COUNCIL

NOTES TO ACCOMPANY CLUB PREMISES CERTIFICATES

What is on the Certificate and how long does it last?

The Certificate must contain

- 1) Names of club and its registered office address
- 2) Address of premises to which Certificate relates
- 3) Plan of premises
- 4) Specific qualifying club activities for which premises being used
- 5) Conditions attached to the Certificate

The Certificate will last indefinitely, and will not require renewal. However it may be surrendered, withdrawn after review, or when club ceases to be a qualifying club.

If the club changes its name or rules, the Secretary must notify the Licensing authority within 28 days. Failure to do this is an offence liable to a fine.

A change of address must also be notified within a reasonable time. If Secretary fails to do this, then it is also an offence liable to a fine.

The Certificate (or a properly certified copy) must be kept at the premises, and be the responsibility of a nominated person. The nominated person might be the Secretary, another member or an employee of the Club. The licensing authority must be informed of the identity of the nominated person.

A summary of the certificate and details of the nominated person must be displayed at the premises. Failure to do this, or produce the certificate is an offence.

Variation of the Certificate

A club may apply to vary its own certificate at any time. This might be to change opening hours, change activities, or a change within the premises. As for an initial application, the club will need to advertise its application and notify the police, fire service and environmental health department. Similarly, relevant representations may be made and a hearing may be necessary.

Review of Certificate

Interested parties, responsible authorities or members of the club may apply for a review of the certificate. A review notice will need to be served on the club, and the application will need to be advertised by the licensing authority.

A hearing will be held and the licensing authority may

- 1) modify any conditions either permanently or temporarily for up to 3 months
- 2) remove an activity either permanently or temporarily for up to 3 months
- 3) suspend the certificate for up to 3 months
- 4) withdraw the certificate
- 5) leave the certificate unchanged

Gaming machines

Schedule 6 to the Act amends the Gaming Act 1968 in respect of the grant of s34 permits for amusement with prizes machines in premises licensed for the sale of alcohol for consumption on the premises. On the Licensing Act "Second appointed day" (expected to be around November 2005) the responsibility for granting such permits will be transferred from the licensing justices to the licensing authority.

The Secretary of state recommends that licensing authorities should not require applicants to provide a plan indicating where the machines are to be sited, and that permits authorising up to two machines may be granted without a hearing.

The Performing Rights Society (PRS)

The PRS exists in order to administer the copyright in musical works on behalf of their writer and publisher members. If you will be using music at a premises, don't forget to take out a licence with PRS; as failure to do so could result in legal action being taken by them.

This information is intended for guidance only and is not intended to provide authoritative legal advice

19 May 2005