

Club Premises Certificate Overview

Under the new Licensing Act 2003, Members' Clubs (e.g. working men's clubs, social clubs etc) will need authorisation to use club premises for relevant activities, including the supply/sale of alcohol and regulated entertainment for members and guests.

A Qualifying Club

1. To be classified as a qualifying club a number of general conditions must be met. These are:
 - 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;
 - The club must be established and conducted in 'good faith' (this involves consideration of details such as club finances);
 - That alcohol is not supplied to members on the premises otherwise than by or on behalf of the club.
2. There are other conditions that relate to the supply of alcohol. These are:
 - The purchase and supply of alcohol is managed by a committee of elected members;
 - No arrangements may be made for any person to receive any commission, percentage or similar payment at the expense of the club with reference to purchases of alcohol by the club;
 - No arrangements may be made for any person to derive any monetary benefit from the supply of alcohol to members or guests apart from to benefit the club as a whole.

Authorised Activities under a Club Premises Certificate

- The supply of alcohol by or on behalf of the club to, or to the order of, members of the club;
- 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
- The provision of 'regulated entertainment' (by or for members of the club or members and their guests) and /or provision of 'entertainment facilities'.

Regulated Entertainment means any of the following:

- the performance of a play (this means any piece where a dramatic role is acted out);
- an exhibition of a film (this means any display of moving pictures except TV);
- an indoor sporting event;
- boxing or wrestling entertainment;
- a performance of live music;
- any playing of recorded music;
- a performance of dance;
- or entertainment of a similar description to live music, recorded music or dance.

Entertainment facilities are those for people to take part in an entertainment of the following sort

- making music;
- dancing; and
- entertainment of a similar description to making music or dancing.

Note: "Entertainment facilities" are, for example, a dance floor for people to use.

Special Events

The new Act does not propose many changes to the way in which clubs may operate. One difference is that under the old Club Registration Certificate, clubs were allowed to make sales to non-members attending functions organised on the premises by non-members up to 12 times a year. This is not provided for in the Act but serving a 'temporary event notice' (TENs) on the Council can cover such events although TENs have certain constraints. If a club prefers they could apply for a premises licence instead, or as well as, a Club Premises Certificate. A premises licence might provide additional flexibility.

Under 18s

Under the Licensing Act 2003 a club will commit an offence if alcohol is supplied by it, or on its behalf, to a member of the club who is under 18. In addition children under 16 must be accompanied whilst on the premises (although this can be covered by nominating a 'supervisor' for the purpose).