

LICENSING ACT 2003

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

PART 4: Clubs

General

114. This Part provides for arrangements for qualifying clubs (as defined in section 61), (such as the British Legion, working men's or cricket or rugby clubs) which meet specified criteria to carry on certain licensable activities at their premises. In this Act such activities are called "qualifying club activities". Such clubs are treated differently from other venues because they carry on activities from private premises (to which access is accordingly restricted) and because alcohol and regulated entertainment are provided otherwise than for profit.
115. This Part establishes a system of club premises certificates, issued by the relevant licensing authority, which authorise a qualifying club to carry on qualifying club activities. Qualifying clubs have a special status under licensing law; clubs holding certificates will be exempted from the requirement for any member or employee to hold a personal licence to supply or sell alcohol to members or guests. The general offence of supplying alcohol to people under 18 applies in clubs as it does elsewhere (see commentary on Part 7 below).
116. Applications for club premises certificates, like those for premises certificates, will be made by submitting the required documents to the licensing authority (namely, the operating schedule, a plan of the premises and a copy of the club's rules). The operating schedule sets out the activities proposed to be undertaken, the planned hours of opening, and the arrangements the club proposes taking to promote the licensing objectives (see section 4).
117. An application for a club premises certificate is subject to provision about advertisement and representations, similar to that for an application for a premises licence (see paragraph 60 above).