



# Licensing Act 2003

## 2003 CHAPTER 17

### PART 4

#### CLUBS

##### *Withdrawal of certificates*

#### **90 Club ceasing to be a qualifying club**

- (1) Where—
  - (a) a club holds a club premises certificate, and
  - (b) it appears to the relevant licensing authority that the club does not satisfy the conditions for being a qualifying club in relation to a qualifying club activity to which the certificate relates (see section 61),the authority must give a notice to the club withdrawing the certificate, so far as relating to that activity.
- (2) Where the only reason that the club does not satisfy the conditions for being a qualifying club in relation to the activity in question is that the club has fewer than the required number of members, the notice withdrawing the certificate must state that the withdrawal—
  - (a) does not take effect until immediately after the end of the period of three months following the date of the notice, and
  - (b) will not take effect if, at the end of that period, the club again has at least the required number of members.
- (3) The references in subsection (2) to the required number of members are references to the minimum number of members required by condition 4 in section 62(5) (25 at the passing of this Act).
- (4) Nothing in subsection (2) prevents the giving of a further notice of withdrawal under this section at any time.

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**Changes to legislation:** Licensing Act 2003, Section 90 is up to date with all changes known to be in force on or before 23 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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- (5) Where a justice of the peace is satisfied, on information on oath, that there are reasonable grounds for believing—
- (a) that a club which holds a club premises certificate does not satisfy the conditions for being a qualifying club in relation to a qualifying club activity to which the certificate relates, and
  - (b) that evidence of that fact is to be obtained at the premises to which the certificate relates,
- he may issue a warrant authorising a constable to enter the premises, if necessary by force, at any time within one month from the time of the issue of the warrant, and search them.
- (6) A person who enters premises under the authority of a warrant under subsection (5) may seize and remove any documents relating to the business of the club in question.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 5A inserted by [2015 c. 20 s. 67\(2\)](#)Sch. 17
- s. 2(1A) inserted by [2015 c. 20 s. 67\(1\)](#)
- s. 10(4)(e) and word inserted by [2011 c. 13 s. 121\(3\)\(b\)](#)
- s. 140(2)(e) inserted by [2015 c. 20 s. 67\(4\)\(b\)](#)
- s. 141(2)(e) inserted by [2015 c. 20 s. 67\(5\)\(b\)](#)
- s. 143(2)(e) inserted by [2015 c. 20 s. 67\(6\)\(b\)](#)
- s. 144(2)(e) inserted by [2015 c. 20 s. 67\(7\)\(b\)](#)
- s. 147A(4)(c) inserted by [2015 c. 20 s. 67\(8\)\(b\)](#)
- s. 153(4)(d) inserted by [2015 c. 20 s. 67\(9\)\(b\)](#)
- s. 197(3)(cza) inserted by [2015 c. 20 s. 67\(12\)\(a\)](#)
- s. 197A197B inserted by [2011 c. 13 s. 121\(2\)](#)