



Licensing Authority

Torridge District Council

**Riverbank House
Bideford, Devon EX39 2QG
Tel: 01237 428700**

Licensing Act 2003

Part A - Declaration

**Declaration for a club premises certificate to be
granted under the Licensing Act 2003**

(LACLU1-A – 15.6.18)

PART A

Declaration for a club premises certificate to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS BEFORE COMPLETING DECLARATION

Before completing this form please read the relevant sections of the Act at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

Club Premises details

Name of club	
Postal address of club, if any, or if none, ordnance survey map reference or description	
Post Town	Postcode
Telephone number (if any)	
E-mail (optional)	

CLUB DECLARATION AS TO QUALIFYING CLUB STATUS

(Insert name of club)..... **club makes the following declarations**

1) Where the club to which this application relates is:

a registered society within the meaning of the Industrial and Provident Societies Act 1965;
a registered society within the meaning of the Friendly Societies Act 1974; or
a registered friendly society within the meaning of the Friendly Societies Act,
the club declares that the club satisfies:

Please tick ✓ Yes	
Condition 1 in section 62(2) of the Licensing Act 2003	
Please give relevant club rule number(s)	
Condition 2 in section 62(3) of the Licensing Act 2003	
Please give relevant club rule number(s)	
Condition 4 in section 62(5) of the Licensing Act 2003	
Does the club wish to supply alcohol to members and guests?	
If yes the club declares that - The purchase of alcohol for the club and the supply of alcohol by the club is under the control of the members or of a Committee appointed by the members	
Please give relevant club rule number(s), if any	

2) Where the club to which this application relates is:

an association organised for the social well-being and recreation of persons employed in or about coal mines, the club declares that the club satisfies:

Please tick ✓ Yes	
Condition 1 in section 62(2) of the Licensing Act 2003	
Please give relevant club rule number(s)	
Condition 2 in section 62(3) of the Licensing Act 2003	
Please give relevant club rule number(s)	
Does the club wish to supply alcohol to members and guests?	
If yes the club declares that it satisfies - First condition in section 66(4) of the Licensing Act 2003	
Please give relevant club rule number(s), if any	

Second condition in section 66(5) of the Licensing Act 2003	
Please give relevant club rule number(s), if any	

3) Where the club to which this application relates does not fall into the categories in 1 or 2 above, the club declares that the club satisfies:

	Please tick ✓ Yes
Condition 1 in section 62(2) of the Licensing Act 2003	
Please give relevant club rule number(s)	
Condition 2 in section 62(3) of the Licensing Act 2003	
Please give relevant club rule number(s)	
Condition 3 in section 62(4) of the Licensing Act 2003	

The club's arrangements for restricting the club's freedom of purchase of alcohol are:
(a) contained in club rule number(s),
(b) or, as follows <i>(Please provide a short description)</i>

The club's provisions by which money or property of the club or any gain arising from the carrying on of the club is or may be applied for charitable benevolent or political purposes are:
(a) contained in club rule number(s),
(b) or, as follows <i>(Please provide a short description)</i>

The arrangements for giving members information about the finances of the club are:
(a) contained in club rule number(s),
(b) or, as follows <i>(Please provide a short description)</i>

Please describe details of the books of account and other records kept to ensure the accuracy of the information about finances given to members of the club or give the relevant rule number(s)

	Please tick ✓ Yes
Condition 4 in section 62(5) of the Licensing Act 2003	
Condition 5 in section 62(6) of the Licensing Act 2003	
The club proposes to supply alcohol to members and guests and declares that the club satisfies:	
additional condition 1 in section 64(2) of the Licensing Act 2003	
Please give relevant club rule number(s), if any	
additional condition 2 in section 64(3) of the Licensing Act 2003	
Please give relevant rule number(s), if any	
additional condition 3 in section 64(4) of the Licensing Act 2003	

Please give relevant club rule number(s), if any

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

I, make this declaration on behalf of the club and have authority to bind the club			
Signature		Date	
Capacity			

Privacy Notice

Torrige District Council collects stores and processes your personal information in accordance with the requirements of the General Data Protection Regulation (Regulation (EU) 2016/679) and Data Protection Act 2018.

Our lawful basis has been determined as:
Public Task – in relation to personal data
Substantial Public Interest – in relation to ‘special category’ personal data

Personal information provided on this form may be shared with other council services where this assists in the delivery of those services.

Personal information provided on this form may be shared with third parties where we are legally obliged to do so, or where this is necessary to enable us to provide the service requested.

To view our full privacy policy including information on your rights, how to contact the Data Protection Officer, data retention information, more detail on information sharing and how to provide feedback or make a complaint, please see the privacy pages of our website

Website: <http://www.torrige.gov.uk/privacypolicy/>

Alternatively, a full copy of our privacy policy can be viewed at our main office or a copy can be requested by writing to the Data Protection Officer at Riverbank House, Bideford, Devon, EX39 2QG.

LICENSING ACT 2003

SS 61 – 64 (reproduced for information)

61 Qualifying clubs

- (1) This section applies for determining for the purposes of this Part whether a club is a qualifying club in relation to a qualifying club activity.
- (2) A club is a qualifying club in relation to the supply of alcohol to members or guests if it satisfies both –
 - (a) the general conditions in section 62, and
 - (b) the additional conditions in section 64.
- (3) A club is a qualifying club in relation to the provision of regulated entertainment if it satisfies the general conditions in section 62.

62 The general conditions

- (1) The general conditions which a club must satisfy if it is to be a qualifying club in relation to a qualifying club activity are the following.
- (2) Condition 1 is that under the rules of the club persons may not –
 - (a) be admitted to membership, or
 - (b) be admitted, as candidates for membership, to any of the privileges of membership,without an interval of at least two days between their nomination or application for membership and their admission.
- (3) Condition 2 is that under the rules of the club persons becoming members without prior nomination or 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.
- (4) Condition 3 is that the club is established and conducted in good faith as a club (see section 63).
- (5) Condition 4 is that the club has at least 25 members.
- (6) Condition 5 is that alcohol is not supplied, or intended to be supplied, to members on the premises otherwise than by or on behalf of the club.

63 Determining whether a club is established and conducted in good faith

- (1) In determining for the purposes of condition 3 in subsection (4) of section 62 whether a club is established and conducted in good faith as a club, the matters to be taken into account are those specified in subsection (2).
- (2) Those matters are -
 - (a) any arrangements restricting the club's freedom of purchase of alcohol;
 - (b) any provision in the rules, or arrangements, under which –
 - (i) money or property of the club, or
 - (ii) any gain arising from the carrying on of the club,is or may be applied otherwise than for the benefit of the club as a whole or for charitable, benevolent or political purposes;

- (c) the arrangements for giving members information about the finances of the club;
 - (d) the books of account and other records kept to ensure the accuracy of that information;
 - (e) the nature of the premises occupied by the club.
- (3) If a licensing authority decides for any purpose of this Act that a club does not satisfy condition 3 in subsection (4) of section 62, the authority must give the club notice of the decision and of the reasons for it.

64 The additional conditions for the supply of alcohol

- (1) The additional conditions which a club must satisfy if it is to be a qualifying club in relation to the supply of alcohol to members or guests are the following.
- (2) Additional condition 1 is that (so far as not managed by the club in general meeting or otherwise by the general body of members) the purchase of alcohol for the club, and the supply of alcohol by the club, are managed by a committee whose members -
- (a) are members of the club;
 - (b) have attained the age of 18 years; and
 - (c) are elected by the members of the club.
- The subsection is subject to section 65 (which makes special provision for industrial and provident societies, friendly societies etc).
- (3) 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.
- (4) Additional condition 3 is that no arrangements are, or are intended to be, made for any person directly or indirectly to derive any pecuniary benefit from the supply of alcohol by or on behalf of the club to members or guests, apart from -
- (a) any benefit accruing to the club as a whole, or
 - (b) 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.