



# Great Yarmouth Borough Council Licensing Act 2003

## Part A Declaration for a club premises certificate to be granted under the Licensing Act, 2003

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### **PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes 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.

Once completed, send your declaration to the following:-

- The Licensing Team, Great Yarmouth Borough Council, Town Hall, Hall Plain, Great Yarmouth, NR30 2QF
- Norfolk Constabulary Licensing Team, 4<sup>th</sup> Floor, Vantage House, Fishers Lane, Norwich, Norfolk, NR2 1ET
- Group Manager, Norfolk Fire and Rescue Service, Fire Station, Friars Lane, Great Yarmouth, NR30 2RP
- Commercial Team (Health and Safety), Environment and Health, Maltings House, Maltings Lane, Gorleston, Gt. Yarmouth, NR31 0GY
- Head of Environmental Health, Maltings House, Maltings Lane, Gorleston, Gt. Yarmouth, NR31 0GY
- Planning and Development, Maltings House, Maltings Lane, Gorleston, Gt. Yarmouth, NR31 0GY
- Licensing and Child Protection Notifications, C/o Children and Families, County Hall, Martineau Lane, Norwich, NR1 2SQ
- Legal Process Unit, Trading Standards, County Hall, Martineau Lane, Norwich, NR1 2UD

### **Club Premises Details**

Name of club	
Postal address of premises if any or none ordinance survey map reference or description	
Post Town	Postcode

Telephone number (if any)
E-mail (optional)

**CLUB DECLARATION AS TO QUALIFYING CLUB STATUS**

.....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**

(see note 1)

Please give relevant club rule number(s)

**Condition 2 in section 62(3) of the Licensing Act 2003**

(see note 2)

Please give relevant club rule number(s)

**Condition 4 in section 62(5) of the Licensing Act 2003**

(see note 3)

Please give relevant club rule number(s)

**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 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**

(see note 1)

Please give relevant club rule number(s)

**Condition 2 in section 62(3) of the Licensing Act 2003**

(see note 2)

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**

(see note 4)

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

**Second condition in section 66(5) of the Licensing Act 2003**

(see note 5)

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**

(see note 1)

Please give relevant club rule number(s)

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Please give relevant club rule number(s)

**Condition 3 in section 62(4) of the Licensing Act 2003**

(see note 6)

**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

Please provide a short description

**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

Please provide a short description

**The arrangements for giving members information about the finances of the club are:**

a) contained in club rule number(s),

b) or, as follows

Please provide a short description

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**  
(see note 3)

**Condition 5 in section 62(6) of the Licensing Act 2003**  
(see note 7)

**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** (see note 8)

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

**additional condition 2 in section 64(3) of the Licensing Act 2003** (see note 9)

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

**additional condition 3 in section 64(4) of the Licensing Act 2003** (see note 10)

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....., <b>make this declaration on behalf of the club and have authority to bind the club</b>	
<b>Signature</b> .....	<b>Date</b> .....
<b>Capacity</b> .....	

## Notes from the Licensing Act 2003 in order to help complete the form.

1. **Condition 1 in section 62(2)** – 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.
2. **Condition 2 in section 62(3)** – 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.
3. **Condition 3 in section 62(5)** – the club has at least 25 members.
4. **First condition in section 66(4)** –
  - a) the institute is managed by a committee or board, and
  - b) at least two thirds of the committee or board consists –
    - (i) partly of persons appointed or nominated, or appointed or elected from among persons nominated, by one or more licensed operators within the meaning of the Coal Industry Act 1994 (c.21), and
    - (ii) partly of persons appointed or nominated, or appointed or elected from among persons nominated, by one or more organisations representing persons employed in or about coal mines.
5. **Second condition in section 66(5)** –
  - a) the institute is managed by a committee or board, but
  - b) the making of an appointment or nomination falling within subsection (4)(b)(i) or (4)(b)(ii) of the first condition is not practicable or would not be appropriate, and
  - c) at least two thirds of the committee or board consists –
    - (i) partly of persons employed, or formerly employed, in or about coal mines
    - (ii) partly of persons appointed by the Coal Industry Social Welfare Organisation or a body or person to which the functions of that Organisation have been transferred under section 12(3) of the Miners' Welfare Act 1952 (c.23)
6. **Condition 3 in section 62(4)** – the club is established and conducted in good faith as a club.
7. **Condition 5 in section 62(6)** – alcohol is not supplied, or intended to be supplied, to members on the premises otherwise than by or on behalf of the club.
8. **Additional condition 1 in section 64(2)** – (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 18years; and
- c) are elected by the members of the club.

This subsection is subject to section 65 (which makes special provision for industrial and provident societies, friendly societies etc)

- 9. **Additional condition 2 in section 64(3)** – 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.
- 10. **Additional condition 3 in section 64(4)** – 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.