

REPORT OF THE CHIEF EXECUTIVE

LICENSING COMMITTEE – 6 FEBRUARY 2017

LICENSING ACT 2003 – WITHDRAWAL OF CLUB PREMISES CERTIFICATE DUE TO CLUB CEASING TO BE A QUALIFYING CLUB

**FENCE HOUSE COMRADES CLUB
EASTFIELD HOUSE
STATION AVENUE NORTH
FENCEHOUSES
HOUGHTON LE SPRING
DH4 6HS**

1.0 PURPOSE OF REPORT

- 1.1 The purpose of the report is to request the Committee to consider whether the above mentioned club, which currently holds a club premises certificate, continues to satisfy the conditions for being a qualifying club in relation to a qualifying club activity to which the certificate relates.

2.0 DESCRIPTION OF DECISION

- 2.1 The Committee are recommended to consider whether the above mentioned club has ceased to be a qualifying club and, if so, withdraw the club certificate.

3.0 INTRODUCTION/BACKGROUND

- 3.1 Section 90 of the Licensing Act 2003 states that, where a club holds a club premises certificate and it appears to the relevant licensing authority that the club does not satisfy the conditions for being a qualifying club in relation to a club activity to which the certificate relates, the authority must give a notice to the club withdrawing the certificate, so far as relating to that activity.

4.0 CURRENT POSITION

- 4.1 After the issue of an invoice to the club requesting the payment of the annual fee due in relation to the club premises certificate, officers of the Council's Licensing Section were informed by the Finance Section that the invoice had been returned unpaid.
- 4.2 An officer of the Licensing Section has since visited the premises named on the club premises certificate and has confirmed that the premises appears not to be in operation as a qualifying club as it was in the process of being demolished.
- 4.3 One of the qualifying criteria of a qualifying club is that the club is established and conducted in good faith as a club. Consequently, it would appear that the club no longer satisfies this condition.

5.0 REASONS FOR THE DECISION

5.1 To comply with the requirements of the Licensing Act 2003

6.0 ALTERNATIVE OPTIONS

6.1 None submitted.

7.0 RELEVANT CONSIDERATIONS

7.1 There are no other relevant considerations.

8.0 GLOSSARY

8.1 None.

9.0 LIST OF APPENDICIES

9.1 None.

10.0 BACKGROUND PAPERS

10.1 None.