

REPORT OF THE DIRECTOR OF COMMUNITY AND CULTURAL SERVICES

LICENSING COMMITTEE – 1 JUNE 2009

LICENSING ACT 2003

SECTION 90 – CLUB CEASING TO BE A QUALIFYING CLUB

**RYHOPE SEA VIEW SOCIAL CLUB
15 THE VILLAGE
RYHOPE
SUNDERLAND**

1.0 PURPOSE OF THE REPORT

- 1.1** The purpose of the report is to request Members 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 (RECOMMENDATIONS)

- 2.1** Members 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 a representative of Northumbria Taverns that the club no longer exists and that they operate their business from the former premises of the club. Northumbria Taverns are the holders of a Premises Licence for the premises now known as The Village Tavern, 15 The Village, Ryhope.
- 4.2** Section 62 of the Licensing Act 2003 defines the general conditions that a club must satisfy if it is to be a qualifying club in relation to a qualifying club activity: One of these requires 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 Section 90 of the Licensing Act 2003.

6.0 ALTERNATIVE OPTIONS

6.1 None submitted.

7.0 RELEVANT CONSIDERATIONS/CONSULTATION

7.1 There are no other relevant considerations that require Members' consideration.

8.0 GLOSSARY

8.1 None

9.0 LIST OF APPENDICES

9.1 None

10.0 BACKGROUND PAPERS

10.1 None