



Licensing Service Civic Offices Guildhall Square Portsmouth PO1 2AL

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Our Ref:

Your Ref:

NOTICE OF WITHDRAWAL OF CLUB PREMISES CERTIFICATE - LICENSING ACT 2003, SECTION 90

To: The Secretary

Of:

Being the club holding a club premises certificate issued by Portsmouth City Council

Club Premises Certificate number:

In respect of club premises known as:

Portsmouth City Council, being the relevant licensing authority, hereby give you notice of the **withdrawal** of the club premises certificate for the premises mentioned above, as it appears to the 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 (section 61, Licensing Act 2003), namely:-

The club is unable to demonstrate to the satisfaction of the Licensing Authority that it is being run in good faith in that

This notice takes effect immediately / at end of the period of three months following the date of this notice.

Date:

Signed:

Time:

Position:

Licensing Manager

The officer appointed for this purpose

Where a club premises certificate is withdrawn because the club's membership has fewer than the required number of members (currently 25), the withdrawal will not have effect until immediately after the end of the period of three months following the date of the notice, and will not take effect if, at the end of that period, the club again has at least the required number of members (currently 25) (section 90(2) of the Act).

Note: An appeal against this decision may be made by the club which holds or held the club premises certificate as applicable (schedule 5, part 2, paragraphs 14 and 15 - Licensing Act 2003) to the East Hampshire Magistrates' Court within the period of 21 days from the date of receipt of the notification of the decision.

ADDITIONAL INFORMATION -

On service of this notice, either:

- Where it is to take immediate effect, or
- Where it is to take effect after the end of the period of three months following the date of the notice and there are not at least 25 club members (section 90(2), Licensing Act 2003),

It is an offence under section 136 of the Licensing Act 2003 to operate other than in accordance with the provisions of a Club Premises Certificate, Premises Licence or Temporary Event Notice (TEN):

UNAUTHORISED LICENSABLE ACTIVITIES

Licensing Act 2003, section 136

- (1) A person commits an offence if -
 - (a) he carries on or attempts to carry on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation, or
 - (b) he knowingly allows a licensable activity to be so carried on.
- (4) A person guilty of an offence under this section is liable on summary conviction to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both.
- (5) In this Part "authorisation" means -
 - (a) a premises licence,
 - (b) a club premises certificate, or
 - (c) a temporary event notice in respect of which the conditions of section 98(2) to (4) are satisfied.

CLOSURE NOTICE AND ORDER

Criminal Justice and Police Act 2001, sections 19 to 28

In addition, either the Police or the Local Authority may serve a closure notice on any premises under section 19 of the Criminal Justice and Police Act 2001 if they are satisfied that the premises are being, or within the last 24 hours have been, used for an unauthorised sale of alcohol for consumption on or in the vicinity of the premises.

At any time between seven days and six months after the service of a closure notice, the Police or the Local Authority may apply for a closure order from the Magistrates' Court in respect of the premises specified in the closure notice (section 20, Criminal Justice and Police Act 2001).

It is an offence to open the premises, without reasonable excuse, in contravention of a closure order. The maximum penalty, on summary conviction, is a fine not exceeding £20,000, or imprisonment for a term not exceeding three months, or to both.