Purpose

This guidance is for the management committees of community halls who are seeking to apply for either a premises licence to sell alcohol or to vary their licence to remove the requirement for a designated premises supervisor.

Legislative Reform (Supervision of Alcohol in Church and Village Halls) Order 2009

The Licensing Act 2003 requires that every sale or supply of alcohol under a premises licence must be made when there is a designated premises supervisor specified on the licence and that every sale is made or authorised by a personal licence holder.

The Legislative Reform (Supervision of Alcohol Sales in Church and Village Halls etc) Order 2009 came into effect on 29th July 2009. This order amends the Licensing Act 2003 to allow management committees of community premises to make an application for a premises licence or to vary an existing premises licence which includes an application to remove the requirement of a designated premises supervisor and the authorisation of the sale of alcohol by a personal licence holder.

In effect this application will remove the following conditions:

“The first condition is that no supply of alcohol may be made under the premises licence –
  a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a premises licence.”

And will instead insert:

“Every supply of alcohol under the premises licence must be made or authorised by the management committee.”

Process to apply for the alternative condition

Community premises wishing the remove the requirement for a DPS and personal licence holder should complete the application forms as below.

Options

Community premises that hold a premises licence which includes the sale of alcohol:
  • Application form for removal of DPS (PREM10)
  • Fee £23
  • Supporting documents (i.e. hiring agreements, management of premises)
Community premises that hold a premises licence for entertainment only:
  - Application to vary premises licence to include alcohol (PREM7)
  - Application form for removal of DPS (PREM10)
  - Fee for variation is dependant on rateable value (average £190)

Community premises that do not hold a premises licence:
  - Application for a new premises licence (PREM1)
  - Application for removal of DPS (PREM10)
  - Fee for premises licence is dependant on rateable value (average £190)

Community premises who either are applying for a variation or a new premises licence should bear in mind the cost of advertising the application which could be in the range of £600.

As part of the application process the Licensing Authority should be satisfied that the arrangements of the management of the premises by the applicant are sufficient to ensure adequate supervision of the supply of alcohol. The application form includes a part where the management committee can describe their arrangements. Please continue on a separate sheet if necessary.

Once the application is received the Licensing Authority will consult with West Yorkshire Police who are able to make representations if they consider that due to the exceptional circumstances of the case, they are satisfied that including the alternative licence condition would undermine the crime prevention objective. In that case, if negotiations do not resolve the matter the case will be brought before a hearing of the Licensing Sub-Committee in the normal way.

Definitions

**Community premises** – this is a premises that are or form part of:
  (a) a church hall, chapel hall or other similar building or
  (b) a village hall, parish hall, community hall or other similar building

**Management Committee** – means a committee or board of individuals with responsibility for the management of premises.

Addresses to send application to

<table>
<thead>
<tr>
<th>Leeds City Council</th>
<th>Application form(s)</th>
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<tbody>
<tr>
<td>Entertainment Licensing</td>
<td>Supporting documentation</td>
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<tr>
<td>Civic Hall</td>
<td>Fee</td>
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<tr>
<td>Leeds LS1 1UR</td>
<td>Original licence</td>
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<tr>
<th>Leeds District Licensing Department</th>
<th>Application form</th>
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<tr>
<td>West Yorkshire Police</td>
<td>Supporting documentation</td>
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<td>Leeds District Headquarters</td>
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<td>Elland Road</td>
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<td>Leeds LS11 8BU</td>
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Payment

The fee is £23 when submitted on its own by community premises who already hold a licence which authorises the sale of alcohol. Otherwise the fee is included in the new or variation application.

We can accept payment by all major credit and debit cards over the telephone.

Please make cheques payable to Leeds City Council.

Use of Personal Data

Leeds City Council is under a duty to protect the public funds it administers, and to this end may use the information you have provided on your application for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes.

Contact details:

Entertainment Licensing  Phone:  0113 378 5029
Leeds City Council  Fax:  0113 336 7124
Civic Hall  Website:  www.leeds.gov.uk/licensing
Leeds, LS1 1UR  Email:  entertainment.licensing@leeds.gov.uk

This document should be used as a guidance tool. Only the courts can give an authoritative opinion on statute law. Every effort has been made to ensure this document is both comprehensive and accurate but in an attempt to simplify the law omissions have been made. Please refer to the Licensing Act 2003 and associated regulations for full details of the law. You should seek your own legal advice on the matters raised in this guidance note.