

Licensing Act 2003

Review application of a premises licence/club premises certificate

Guidance notes

Requesting a review of a premises licence

An Interested Party or Responsible Authority can, at any time, apply to the Licensing Authority for a review of a Premises Licence or a Club Premises Certificate. The reason for requesting the review must relate to one or more of the 4 licensing objectives, laid down in the Licensing Act 2003.

What is an Interested Party?

- Any individual, body or business who has grounds to make a valid representation

Who are Responsible Authorities?

- Gloucestershire Constabulary
- Gloucestershire Fire & Rescue Service
- Planning Department, Cotswold District Council
- Environmental Pollution Department, Cotswold District Council
- Health & Safety Department, Cotswold District Council
- Gloucestershire Area Child Protection Committee
- Trading Standards
- Health Authority
- Licensing Authority

(Contact details of these responsible authorities can be found at the end of this factsheet)

What are the 4 Licensing Objectives?

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

What do I have to do if I want to request a review?

The procedure for a review is laid down in the Licensing Act 2003. The person or body requesting the review of a Premises Licence or Club Premises Certificate must make an application to do so to the Licensing Authority in writing using a prescribed form. This person or body must also notify the holder of the Premises Licence or Club Premises Certificate and each of the Responsible Authorities of their request, by sending them a copy of the application for review, together with any accompanying documents, on the same day as the application for the review is given to the Licensing Authority. The person applying for the review should also keep a copy of the application for their own records.

What happens next?

The Licensing Authority can reject any request for a review if it considers it to be frivolous, vexatious or a repetition. If the application is accepted the Licensing Authority must advertise the application for the review by putting up a notice at the premises concerned and at the Council Offices and invite further representations about that premises from other Interested Parties and the Responsible Authorities. The other Interested Parties and the Responsible Authorities have a period of 28 days in which to make additional representations to Licensing Authority following the initial request for a review.

The Licensing Authority must then hold a hearing before a Licensing Committee within 20 working days after the end of the 28 day representation period to consider the Premises Licence or Club Premises Certificate.

What happens at the hearing?

The meeting will be formal, but every effort will be made to make it as relaxed as possible.

The following will be invited to attend the review:

- The person or body requesting the review
- The person or body that holds the Premises Licence or Club registration Certificate
- Any other Interested Parties or Responsible Authorities that have submitted a representation following the initial request

Any of the above can request that they be represented at the review by another person and they may request prior to the hearing to produce witnesses.

At the review each of the above parties will have an opportunity to put their case forward.

For Premises Licences, the Committee can if they consider it necessary to promote the licensing objectives:

- Add, modify or remove any of the licence conditions
- Exclude a licensable activity from being held at the premises
- Remove the Designated Premises Supervisor
- Suspend the licence
- Revoke the licence

For Club Premises Certificates, the Committee can:

- Add, modify or remove any of the conditions of the certificate
- Exclude a qualifying club activity from the scope of the certificate
- Suspend the certificate (for up to three months)
- Withdraw the certificate

Does it cost anything to ask for a licence/Club Premises Certificate to be reviewed?

- There is no charge for requesting a review.

Can I appeal against the decision of the Licensing Hearing ?

Any of the parties involved in the hearing may appeal against the decision made by the Licensing Committee. The appeal must be made to the Magistrates Court within 21 days of being notified of the hearing decision.

For Further information contact Cotswold District Council's Licensing Section

Personal visit to: Cotswold District Council Offices Trinity Road, Cirencester, GL7 1PX (We would advise callers to make appointments)	Writing to us at: The Licensing Section, Commercial Team, Cotswold District Council, Trinity Road, Cirencester, GL7 1PX
Email: ers@cotswold.gov.uk	Phone: 01285 623000
Internet: www.cotswold.gov.uk	

1.	Cotswold District Council's Licensing Department (Licensing Authority)	Licensing Environmental and Regulatory Services Cotswold District Council Trinity Road Cirencester GL7 1PX Tel: 01285 623000 ers@cotswold.gov.uk
2.	Licensing Officer, Gloucestershire Constabulary	Licensing Unit, Community Engagement Dept, Police Headquarters, No 1 Waterwells, Quedgeley GL2 2AN Phone: 01452 754482 Email: licensing@gloucestershire.pnn.police.uk
3.	Gloucestershire Fire & Rescue Service	Chief Fire Officer Fire Service HQ, Waterwells Drive, Quedgeley, Gloucester GL2 2AX. Phone: 01452/753333 Email; fire@glosfire.gov.uk
4.	Planning	Development Services Cotswold District Council, Trinity Road, Cirencester, Gos. GL7 1PX Phone : 01285 623000 e-mail : planning@cotswold.gov.uk
5.	Pollution Prevention	Operations Team Environmental and Regulatory Services Cotswold District Council Trinity Road Cirencester GL7 1PX Tel: 01285 623000 Email: ers@cotswold.gov.uk
6.	Health and Safety	Food and Safety Team Environmental and Regulatory Services Cotswold District Council Trinity Road Cirencester GL7 1PX Tel: 01285 623000 Email: ers@cotswold.gov.uk

7.	Child Protection	<p>Gloucestershire Safeguarding Children Board Room 128, 1st Floor, Block 4 Shire Hall Westgate Street Gloucester GL1 2TG</p> <p>Tel: 01452 583629 Email: mail@gscb.org.uk</p>
8.	Trading Standards	<p>Trading Standards Gloucestershire County Council The Tri-Service Centre, Waterwells Drive, Quedgeley, Gloucester, GL2 2AX</p> <p>Tel: 01452 426201 Fax: 01452 426274 Email: tradingstandards@gloucestershire.gov.uk</p>
9.	Health Authority	<p>Public Health Department Block 4, 2nd Floor Gloucestershire County Council Shire Hall, Westgate Street, Gloucester GL1 2TG</p> <p>Email: publichealth@gloucestershire.gov.uk</p>
10.	Home Office	<p>Alcohol Licensing Team Lunar House 40 Wellesley Road Croydon CR9 2BY</p> <p>alcohol@homeoffice.gsi.gov.uk</p>

**Licensing Act 2003
Application for the review of a premises licence or club premises certificate
under the Licensing Act 2003**

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.

I

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Post town	Post code (if known)

Name of premises licence holder or club holding club premises certificate (if known)

Number of premises licence or club premises certificate (if known)

Part 2 - Applicant details

I am

Please tick

- 1) an interested party (please complete (A) or (B) below)
 - a) a person affected by activities at the premises
 - b) a body affected by activities at the premises
 - c) a person involved in business affected by activities at the premises
 - d) a body representing persons affected by activities at the premises

- 2) a responsible authority (please complete (C) below)

- 3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick

Mr Mrs Miss Ms Other title (for example, Rev)

Surname

First names

Please tick yes

I am 18 years old or over

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
Telephone number (if any)
E-mail address (optional)

This application to review relates to the following licensing objective(s)

Please tick one or more boxes

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please state the ground(s) for review (please read guidance note 1)

Please provide as much information as possible to support the application (please read guidance note 2)

Please tick yes

Have you made an application for review relating to this premises before

If yes please state the date of that application

Day Month Year

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If you have made representations before relating to this premises please state what they were and when you made them

Please tick

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 3 – Signatures (please read guidance note 3)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 4). **If signing on behalf of the applicant please state in what capacity.**

Signature

.....

Date

.....

Capacity

.....

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 5)

Post town

Post Code

Telephone number (if any)

If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)

Notes for Guidance

1. The ground(s) for review must be based on one of the licensing objectives.
2. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
3. The application form must be signed.
4. An applicant’s agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
5. This is the address which we shall use to correspond with you about this application.