

Review of Premises Licence

A premises licence or club premises certificate is required to undertake the following activities;

- Sale or supply of alcohol
- Regulated entertainment
- Sale of hot food and refreshments between 23:00 and 05:00

A review of a licence or certificate can be requested if an aggrieved party believes that there has been a breach of one or more of the objectives of the Licensing Act 2003.

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

Before taking a review it is recommended that the person affected by the breach of the licensing objectives approach the premises and make their concerns known. This may resolve the problem without need for a review.

The concerned party may do this by direct contact with the premises or may wish to approach the Council's licensing section with their concerns. If the concern relates to crime and disorder or public safety they can approach the relevant responsible authority, e.g. the police or the environmental health team.

If the matter is not resolved a review may be necessary. To prompt a review the official form, available on the gov.uk and Council websites must be completed. This must then be sent to the Council's Licensing Section and all the responsible authorities;

- Police
- Fire Service
- Trading Standards
- Environmental Health
- Public Health
- Building control; and
- Safeguarding Children Board

A copy should also be sent to the premises licence holder.

The Licensing Section must Act on a request for a review unless they consider it to be irrelevant, repetitious, frivolous or vexatious.

The Licensing Section will advertise the fact a request for a review has been received and allow a period of 28 days for other interested parties to make representations. A Licensing Sub-Committee will then be convened.

At the Committee all parties will have the opportunity to state their case. Members will then receive legal advice and make their decision. This could result in one of a number of outcomes;

- No action required
- Conditions placed on the licence to encourage better operation of the premises
- Removal of the Designated Premises Supervisor

Excluding a licensable activity from the licence
Suspension of the premises licence; or
Revocation of the licence

An application for review is unlikely to succeed unless there is strong evidence of a breach of one of the licensing objectives. Evidence could consist of a diary of incidents breaking the licensing objectives, witness testimony, video or photographic evidence.

Where a party is not satisfied with the decision of the Sub-Committee they may appeal their decision to the Magistrate's Court. The person appealing may be liable for the costs of all parties if they are not successful.

Advice on reviews is available on the Council and gov.uk websites.