

**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 appropriate.

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**

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

<b>Name of premises licence holder or club holding club premises certificate (if known)</b>
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<b>Number of premises licence or club premises certificate (if known)</b>
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**Part 2 - Applicant details**

I am

**Please tick yes**

- 1) an interested party (please complete (A) or (B) below)
- a) a person living in the area of the premises
  - b) a body representing persons living in the area of the premises
  - c) a person involved in business in the area of the premises
  - d) a body representing persons involved in business in the area of 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**

**I am 18 years old or over**

**Please tick yes**

**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 yes**

- I have sent copies of this form and enclosures to the other persons 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)

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<b>Post town</b>	<b>Post Code</b>
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<b>Telephone number (if any)</b>
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<b>If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)</b>
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**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.

## Premises licences: Reviews – advice note

### 1) Who can apply for review?

Interested parties and other persons may apply. Interested parties are people living or businesses operating in the area or a body representing them.

Other persons are the Police, Fire Services and various services within the Council, environmental health for noise and safety, planning, children's social services.

### 2) Procedure

The Council will provide the form the government designed to apply for a review. The applicant will need to state the grounds which must relate to one or more of the licensing objectives (prevention of crime and disorder, public safety, prevention of public nuisance, protection of children from harm).

- A hearing must be held within 20 working days after the representation was made.
- The Council must give five working days notice of the review hearing.
- The Council advertises the review by display of notice on the premises for 28 days, at Council offices and on its website.
- The applicant must give notification of the review to the licence holder and all other persons (see above) on the day she or he applies. Notification is sent to all parties

### 3) What are the reasons the Council might decide not to review a licence?

- The application does not relate to the licensing objectives.
- The ground is considered frivolous, vexatious or repetitious.
- There has not been a reasonable interval since the initial grant of the licence or an earlier application.
- Procedures have not been followed correctly.

The Council will notify an applicant if an application is rejected for being frivolous, vexatious or repetitious.

### 4) How is the application determined?

A hearing of the Licensing Panel of three Councillors will be held if appropriate procedures and advertisement has been followed.

The licence holder can make representations.

The applicant should not raise new issues outside those stated in the application.

### 5) What are the possible sanctions?

The Council can:

Modify licence conditions

Exclude a licensable activity like sale of alcohol or provision of entertainment

Suspend the licence for up to three months

Revoke the licence

There are appeal rights to the Magistrates Court following a review hearing.

### 6) Other advice

Any action has to be reasonable and justified so it will be vital that there is evidence to support cases. Therefore, any problems should be reported to and investigated by appropriate other persons before an application for review is made.

Process: Dealing with Premises Licence and Club Premises Certificate Reviews

Service: Environmental Health & Licensing

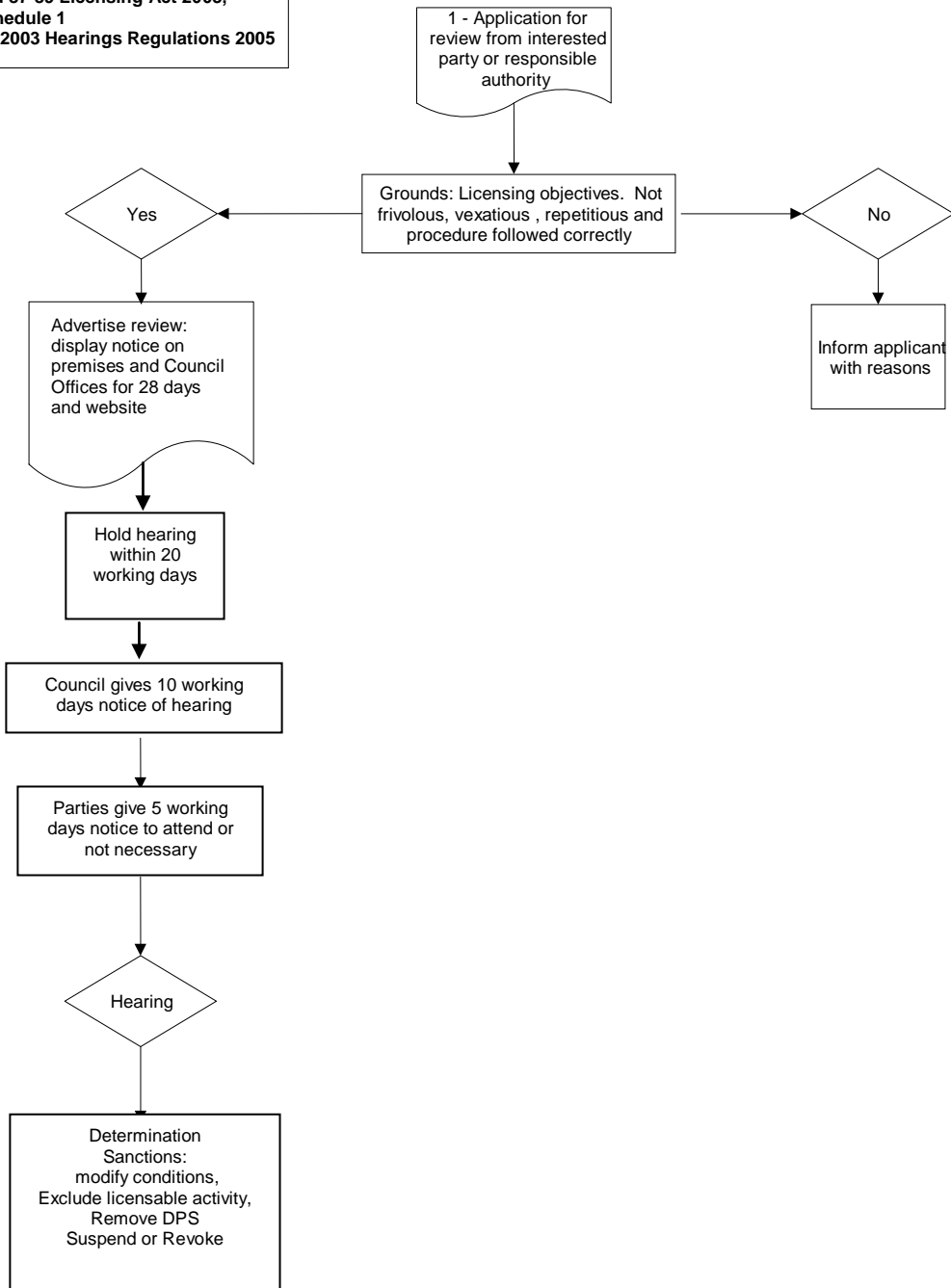
Date: 17/11/05

Version No: 1

Service Manager: Tim Nichols

Author: Jean Cranford

Primary legislation: Sections 51-53 and 87-89 Licensing Act 2003, Schedule 1  
LA 2003 Hearings Regulations 2005





**Other persons in Brighton & Hove**

**Police**

Licensing Unit  
4<sup>th</sup> Floor – Police Station  
John Street  
Brighton  
BN2 0LA  
Tel: 0845 6070999

**East Sussex Fire and Rescue Service**

Brighton & Hove Fire Safety Office  
Hove Fire Station  
English Close  
Hove  
BN3 7EE  
Tel: 01323 462130

**Health & Safety**

For non-council owned premises -

Environmental Health & Licensing  
Bartholomew House  
Bartholomew Square  
Brighton BN1 1JP  
Tel: 01273 294429

For parks and other council operated premises -

Enforcement Liaison Officer, HSE  
Phoenix House  
23-25 Cantelupe Road  
East Grinstead RH19 3BE  
Tel: 01342 334200

**Planning**

Development Control  
Hove Town Hall  
Norton Road  
Hove  
BN3 1PT  
Tel: 01273 290000

**Child Protection**

Chair of Brighton & Hove ACPC  
C/o Licensing Unit  
4<sup>th</sup> Floor – Police Station  
John Street  
Brighton  
BN2 0LA  
Tel: 0845 6070999

**Environmental Health**

Environmental Protection  
Bartholomew House  
Bartholomew Square  
Brighton BN1 1JP  
Tel: 01273 290000

**Trading Standards**

Bartholomew House  
Bartholomew Square  
Brighton  
BN1 1JP  
Tel: 01273 290000

**Director of Public Health**

King's House  
Grand Avenue  
Brighton BN3 2LS  
Tel: 01273 290000