

1) How can I find out when a pub or club has submitted an application for a new licence or extension to their existing licence?

Where people apply for premises licences, club premises certificate (private club), provisional statements (like a provisional licence) or variation (for instance an extension) they must:

- Advertise the application on the premises for 28 days from the day after application – A4 or larger, pale blue notice – prominently on premises, where it can be conveniently read.
- Publish a notice in a local newspaper – on one occasion within two weeks after making application. Also, the Council publicises recent applications: Follow the link on the Council's website:
www.brighton-hove.gov.uk/licenceapplicationsreceived



The Licensing Team carries out a variety of licensing functions from acupuncture and Licensing Act 2003 to street trading and mobile food vendors.

Contact

Email: ehl.safety@brighton-hove.gov.uk
Telephone: (01273) 294429
Fax: (01273) 292196
www.brighton-hove.gov.uk/licensing

Environmental Health and Licensing
Bartholomew Square
Brighton BN1 1PF

Translation? Tick this box and take to any council office.

Perkthim? Zgjidhni kete kuti dhe cojeni ne cilendo zyre keshilli.	Albanian	<input type="checkbox"/>
ترجمة؟ ضع علامة في المربع وخذها إلى مكتب البلدية.	Arabic	<input type="checkbox"/>
অনুবাদ? বক্সে টিক চিহ্ন দিয়ে কাউন্সিল অফিসে নিয়ে যান।	Bengali	<input type="checkbox"/>
需要翻译? 请勾选此框并送至任何理事会的办公室。	Chinese	<input type="checkbox"/>
ترجمه؟ چهارگوشه را نشانه گذاری کرده و به یکی از انجمن های مشاوره رجوع کنید.	Farsi	<input type="checkbox"/>
Traduction? Veuillez cocher la case et apporter au Council.	French	<input type="checkbox"/>
Tradução? Coloque um visto na quadrícula e leve a uma qualquer repartição de poder local (Council Office).	Portuguese	<input type="checkbox"/>
Tercümesi için kareyi işaretleyiniz ve bir semt belediye bürosuna veriniz	Turkish	<input type="checkbox"/>
	other (please state)	<input type="checkbox"/>

This can also be made available in large print, Braille or on audio tape

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Making representations to Licence Applications under the Licensing Act 2003



2) Who can make representations (objections)?

Applications are granted unless there are 'relevant' representations from 'interested parties' or 'responsible authorities'.

Interested parties are: residents, businesses, and residents' and business associations, in the vicinity of the premises

Responsible authorities are: Sussex Police, East Sussex Fire and Rescue Service, Council (Planning, Environmental Health, Child Protection, Trading Standards).

Please note: names and addresses of those making representations will usually be disclosed to applicants and will be publicly available (see item 6).

3) On what grounds may an objection be made?

- a) prevention of crime and disorder
- b) public safety
- c) prevention of public nuisance



d) protection of children from harm

These are the 4 licensing objectives and representations must relate to these. The Council is not allowed to entertain any other type of representation.

4) How can I object most effectively?

The Council will have to be able to justify and defend its decisions. So, if you have been affected, or consider you are likely to be affected by a licensed premises, on the grounds of, for instance, crime and disorder, antisocial behaviour, noise or pollution, risk to safety or underage drinking then you should make your objection setting out your evidence and concerns in relation to one or more of the licensing objectives. That way there may be evidence to found a refusal or impose conditions. It is possible that one of the responsible authorities may also make representations.

5) Once a licence is granted, what can I do if there are problems?

Firstly, depending on the nature of the problems, complain to the appropriate authority – there may be straightforward remedies such as approaching the management of the premises.

Secondly, interested parties and responsible authorities can apply to the council for a review of a licence. Sanctions include: modification of conditions, exclusion of a licensable activity, suspension (up to 3 months) or revocation of the licence. Evidence will be key.

6) What happens to representations once made?

On receipt of a valid representation a copy is sent to the applicant in order to facilitate discussions on the matters raised. If the person making the representation and the applicant cannot resolve the issues (i.e. the representation is withdrawn because the applicant has agreed to appropriate licensing conditions or the objector no longer considers it necessary) a hearing is triggered. This is where the Licensing sub-committee will determine the application and all interested parties are invited in advance. They will receive a copy of the report being presented as well as some guidance on procedures; attendance is not compulsory as the report will contain the details of the representation(s).

