

# **Review of a Premises Licence / Club Premises Certificate**

## **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?**

- Locally Elected Member
- Any other person

### **Who are Responsible Authorities?**

- Gloucestershire Constabulary
- Gloucestershire Fire & Rescue Service
- Planning Services, Cheltenham Borough Council
- Pollution Control, Cheltenham Borough Council
- Health & Safety Team, Cheltenham Borough Council
- Gloucestershire Area Child Protection Committee
- Trading Standards Service, Gloucestershire County Council
- NHS Gloucestershire

(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 on their website 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 sub-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 during the 28 day consultation period.

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 sub-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 sub-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 Sub Committee at the Licensing Hearing. The appeal must be made to the magistrates' court within 21 days of being notified of the hearing decision.

For Further information contact Cheltenham Borough Council's Licensing Team

Licensing Authority and the Responsible Authorities

1.	Cheltenham Borough Council's Licensing Team (Licensing Authority)	Licensing Section Public Protection, Cheltenham Borough Council, PO Box 12 Municipal Offices, Promenade, Cheltenham, Glos. GL50 1PP DX 7406 Cheltenham 1 Telephone:01242 774924 e-mail: <a href="mailto:licensing@cheltenham.gov.uk">licensing@cheltenham.gov.uk</a>
2.	Gloucestershire Constabulary	Divisional Licensing Officer Licensing Dept, Cheltenham Police Station, Talbot House, Lansdown Rd, Cheltenham GL51 6QT Telephone: 01242 276334 Fax: 01242 573591 (The main police switchboard number is 0845 090 1234) email: <a href="mailto:Licensing-Cheltenham&amp;Tewkesbury@Gloucestershire.Police.uk">Licensing-Cheltenham&amp;Tewkesbury@Gloucestershire.Police.uk</a>

3.	Gloucestershire Fire & Rescue Service	Chief Fire Officer Fire Service HQ, Waterwells Drive, Quedgeley, Gloucester GL2 2AX. Phone: 01452/753333 fax 01452 753304 Email; <a href="mailto:fire@glosfire.gov.uk">fire@glosfire.gov.uk</a>
4.	Local Planning Authority	Rob Lindsey Development Control Manager Built Environment Division Cheltenham Borough Council Municipal Offices Promenade Cheltenham GL50 1PP Tel 01242 264138 Fax 01242 227323 email: <a href="mailto:robert.lindsey@cheltenham.gov.uk">robert.lindsey@cheltenham.gov.uk</a>
5.	Pollution Prevention	Cheltenham Borough Council Pollution Control Team Public Protection Division Municipal Offices Promenade Cheltenham GL50 9SA Tel- 01242 775178 Fax -01242 264210 email: <a href="mailto:ehbusinesssupport@cheltenham.gov.uk">ehbusinesssupport@cheltenham.gov.uk</a>
6.	Health and Safety Enforcement	Cheltenham Borough Council Programmed Services Public Protection Division Municipal Offices Promenade Cheltenham GL50 9SA Tel- 01242 775178 Fax - 01242 264210 email: <a href="mailto:ehbusinesssupport@cheltenham.gov.uk">ehbusinesssupport@cheltenham.gov.uk</a>
7.	Child Protection	Duncan Siret (Safeguarding Children Manager). Gloucestershire Safeguarding Children Board Safeguarding Children Service Children and Young People's Directorate Gloucestershire County Council Eastgate House - 3rd Floor 121-131 Eastgate Street Gloucester GL1 1PX.

		<p>Tel 01452 583636  Fax 01452 546922  E mail: duncan.siret@gloucestershire.gov.uk</p>
8.	Trading Standards	<p>Gloucestershire County Council, Trading Standards,  Hillfield House  Denmark Road  Gloucester  GL1 3LD  Telephone: (01452) 426201  Fax: (01452) 426274  Email: tradstds@gloucestershire.gov.uk</p>
9.	NHS Gloucestershire	<p>Christine Godfrey (DAAT Finance and Information officer)  NHS Gloucestershire, Sanger House, 5220 Valiant Court, Gloucester Business Park, Brockworth, GLOUCESTER, GL3 4FE  Christine.godfrey@glos.nhs.uk  08454221473</p>