

When a new Premises Licence Application is received

When a licensing authority (SKDC) receives a new application or an application to vary an existing premise licence the Home Office Guidance (April 2018) outlines, that if the application has been made lawfully that it must be advertised for 28 days on both the Gov.uk website and SKDC's own website. Which is the opportunity for any interested party, such as residents, to put forward any relevant concerns. There are also statutory consultees (Responsible Authorities) such as the Police, Fire, Environmental Health etc

Current Application notices can be viewed and representations can be made by following this link to our website <http://www.southkesteven.gov.uk/index.aspx?articleid=8551>

No relevant representations received

If there are no relevant representations from responsible authorities or other persons (which can include the public), the licensing authority must grant the application, subject only to conditions that are consistent with an agreed operating schedule and relevant mandatory conditions.

How to make a relevant representation

Representations can be submitted electronically via our website or by letter. A representation is defined as "relevant" if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. Nor deemed to be vexatious or frivolous. The licensing objectives are

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

If relevant representations are received, then the application would proceed to the Alcohol and Entertainment Licensing Committee.

The licensing authority is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations that have been made. Only in exceptional circumstances will details of those making the representation be withheld or minimal details (such as street name or general location within a street) be provided.

Hearing Process

The Hearing Meeting is public, so members of the public can attend (albeit currently online). In determining the application, the Alcohol and Entertainment Licensing Committee will aim to promote the licensing objectives in the overall interests of the local community, the licensing authority must also give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- the Revised Guidance issued under section 182 of the Licensing Act 2003;
- its own statement of licensing policy.

If a licence is granted

The Licensing Act 2003 sets out a Review process as a protection for communities where problems associated with the licensing objectives occur after the grant or variation of a premises licence. A review can be requested at any stage following grant, by a licensing authority, or any other person (including members of the public), may request the licensing authority review the licence because of a matter arising at the premises in connection with any of the four licensing objectives.