

Licensing Act 2003 Application for Review of Premises Licence

Where a premises licence has effect, a responsible authority or any person may apply to the licensing authority for a review of the licence.

The applicant must give notice to the licence holder, licensing authority and responsible authorities. The application for review should be made on the prescribed form which is available on our website.

On receipt of the application, the licensing authority must advertise the application and invite representations about it to the authority by responsible authorities and any other person. Representations can be made during the 28 day period after the application has been made to the licensing authority.

The licensing authority may, at any time, reject any ground for review specified in the application if it is satisfied that:

- (a) the ground is not relevant to one or more of the four licensing objectives (prevention of public nuisance, prevention of crime and disorder, public safety, protection of children from harm) or
- (b) in the case of an application made by a person other than a responsible authority:
 - (i) the ground is frivolous or vexatious, or
 - (ii) the ground is repetition. A ground for review is repetition if it is identical or substantially similar to representations considered by the authority for previous application for premises licence, review of premises licence or provisional statement for the same premises.

Where the authority rejects the ground for review because it is frivolous, vexatious or repetition, it must notify the applicant of its decision.

The authority must hold a hearing to consider the relevant representations. It must then take such steps as it considers necessary to promote the licensing objectives. The steps are:

- to modify the conditions of the licence;
- to exclude a licensable activity from the scope of the licence;
- to remove the designated premises supervisor;
- to suspend the licence for a period not exceeding three months;
- to revoke the licence.

Where the licensing authority determines the application for review, it must notify the determination and its reasons to the licence holder, the applicant, the person making the relevant representations and the chief officer of police (for the area where the premises are located). The determination does not have effect until the end of the period given for appealing against the decision or, if appealed, until the appeal is disposed of.

Any appeal against the decision of the licensing authority may be made to the magistrates' within 21 days of written receipt of the decision. The applicant, responsible authority or other person can appeal against the decision of the authority.