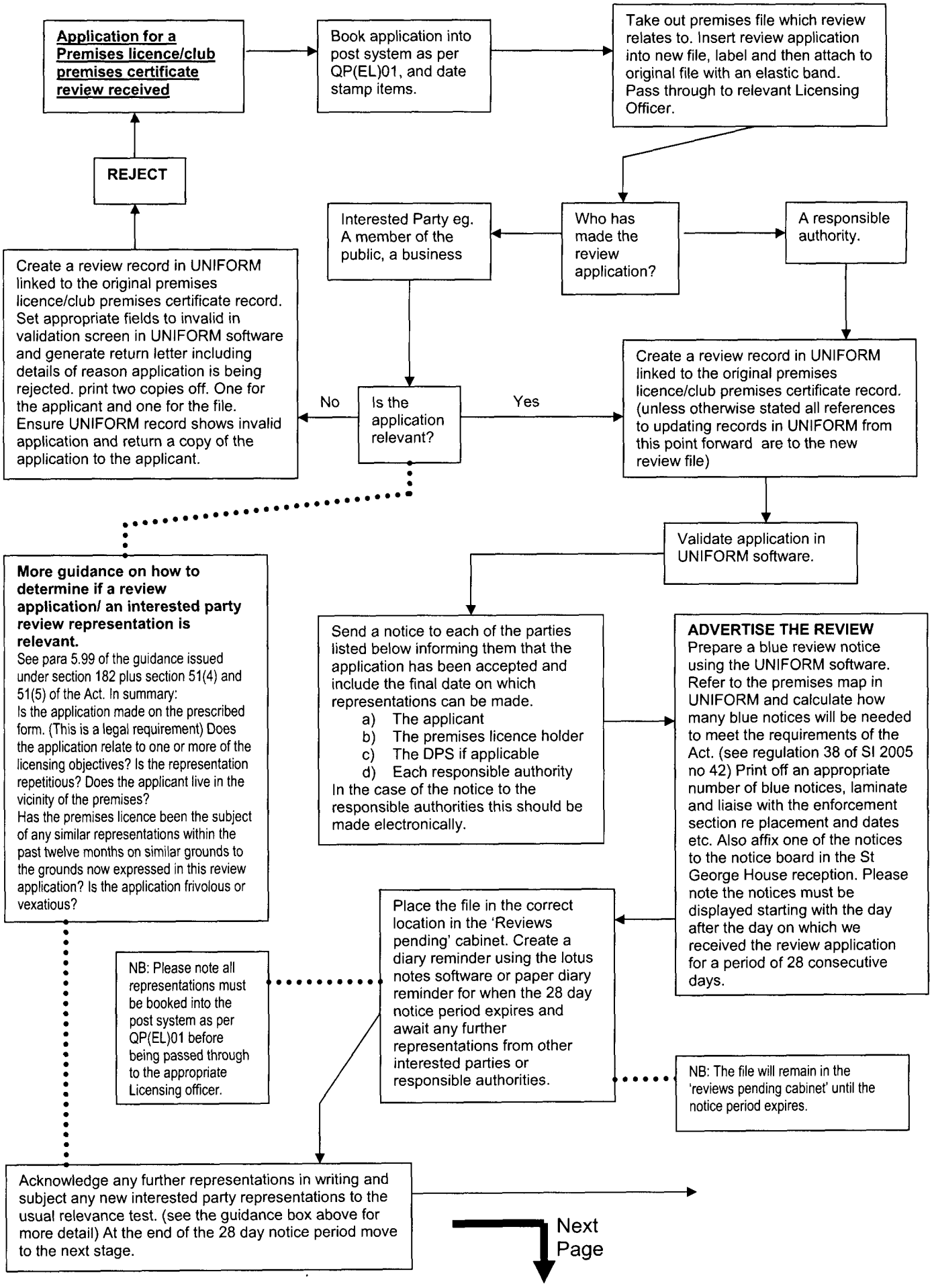
Application for a Premises licence/club premises certificate review received
Book application into post system as per QP(EL)01, and date stamp items.
Take out premises file which review relates to. Insert review application into new file, label and then attach to original file with an elastic band. Pass through to relevant Licensing Officer.
REJECT
Interested Party eg. A member of the public, a business
Who has made the review application?
A responsible authority.
Create a review record in UNIFORM linked to the original premises licence/club premises certificate record. Set appropriate fields to invalid in validation screen in UNIFORM software and generate return letter including details of reason application is being rejected. print two copies off. One for the applicant and one for the file. Ensure UNIFORM record shows invalid application and return a copy of the application to the applicant.
No
Is the application relevant?
Yes
Create a review record in UNIFORM linked to the original premises licence/club premises certificate record. (unless otherwise stated all references to updating records in UNIFORM from this point forward are to the new review file)
Validate application in UNIFORM software.
More guidance on how to determine if a review application/ an interested party review representation is relevant.
See para 5.99 of the guidance issued under section 182 plus section 51(4) and 51(5) of the Act. In summary:
Is the application made on the prescribed form. (This is a legal requirement) Does the application relate to one or more of the licensing objectives? Is the representation repetitious? Does the applicant live in the vicinity of the premises?
Has the premises licence been the subject of any similar representations within the past twelve months on similar grounds to the grounds now expressed in this review application? Is the application frivolous or vexatious?
Send a notice to each of the parties listed below informing them that the application has been accepted and include the final date on which representations can be made.
a) The applicant
b) The premises licence holder
c) The DPS if applicable
d) Each responsible authority
In the case of the notice to the responsible authorities this should be made electronically.
ADVERTISE THE REVIEW
Prepare a blue review notice using the UNIFORM software. Refer to the premises map in UNIFORM and calculate how many blue notices will be needed to meet the requirements of the Act. (see regulation 38 of SI 2005 no 42) Print off an appropriate number of blue notices, laminate and liaise with the enforcement section re placement and dates etc. Also affix one of the notices to the notice board in the St George House reception. Please note the notices must be displayed starting with the day after the day on which we received the review application for a period of 28 consecutive days.
Place the file in the correct location in the 'Reviews pending' cabinet. Create a diary reminder using the lotus notes software or paper diary reminder for when the 28 day notice period expires and await any further representations from other interested parties or responsible authorities.
NB: Please note all representations must be booked into the post system as per QP(EL)01 before being passed through to the appropriate Licensing officer.
NB: The file will remain in the 'reviews pending cabinet' until the notice period expires.
Acknowledge any further representations in writing and subject any new interested party representations to the usual relevance test. (see the guidance box above for more detail) At the end of the 28 day notice period move to the next stage.
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Acknowledge any further representations in writing and subject any new interested party representations to the usual relevance test. (see the guidance box above for more detail) At the end of the 28 day notice period move to the next stage.

Contact Governance Services and ask for a committee hearing date within 20 working days.

Once Governance Services provide the hearing date and time use UNIFORM to prepare a notice of hearing document and send to the premises licence holder or their agent, any interested parties which have made relevant representations plus any responsible authorities if applicable. Place a copy of each of the cover letters on the file. Place the file in the filing system. Please note these documents must be dispatched no later than ten working days before the day of the hearing. (Regulation 2 – Statutory Instrument 2005 No.78 The Licensing Act 2003 (Hearings) Amendment Regulations 2005)

Prepare a committee report using the appropriate word template extracting the relevant details from UNIFORM regarding the applicant, premises details, grounds for a review, information on any additional representations etc and enter into the report.

Have you prepared all applicable appendixes as detailed below?

- Appendix A: Location map of premises printed from UNIFORM (if applicable)
- Appendix B: copy of application form
- Appendices for each responsible authority representation if any
- An appendix for all interested party representations if any
- Any other applicable correspondence related to the review process
- The standard final table 'aide memoir' of relevant sections of the S182 guidance and our licensing policy.

No

Yes

Hand deliver a hard copy of the report to Governance Services ready for dispatch to each of the relevant parties. The report should be sent to Governance Services at least ten days before the hearing is due to commence so there is sufficient time to dispatch it to all relevant parties including members. (Please note this is an in house recommended timescale and not a statutory requirement)

Approximately three days ahead of the hearing take out the file from the filing system and complete a final tidy up of the file. Take the file up to Regulatory and Enforcement as per below: Friday hearings, file goes up on Thursday, Monday hearings, file goes up on Friday.

Await copy of panel decision letter from Governance Services and return of paper file from Regulatory and Enforcement. (Upon arrival of decision letter file copy of letter in application file and update UNIFORM accordingly.)

Did the Committee resolve to make any of the following changes?

a) To modify the conditions of the licence
b) To exclude a licensable activity from the scope of the licence
c) To remove the designated premises supervisor
d) To suspend the licence for a period not exceeding three months
e) To revoke the licence.

Yes

Confirm with Governance Services the date of dispatch of the decision letter and then set a diary reminder for [date of dispatch] + 2 days + 21 days.

No

No further action required. Return the file to the filing system.

At the end of the 21 day appeal period enquire with Regulatory and Enforcement if an appeal has been lodged.

Has an appeal been lodged?

No

If the licence holder has not already surrendered their licence write to them and ask for the licence to be surrendered.

Yes

The premises review determination is superseded by the appeal and the determination of the Licensing Committee may or may not take effect until the Magistrates have determined the appeal. No further action required pending the appeal decision. Return the file to the filing system.

RE-ISSUE/REVOKE LICENCE

In all cases make void the surrendered licence. If the decision of the Licensing Committee was not a revocation, prepare the amended licence subject to the decision of the Licensing Committee. Print the licence summary and full licence plus the cover letter. Pass through to the Senior Licensing Officer for final checking and dispatch. Place a copy of the licence on the file, dispatch a copy to the police and return the file to the filing system.