

FACT SHEET SIXTEEN

HOW TO OBJECT TO THE GRANT OR RENEWAL OF A LIQUOR LICENCE

Alcohol-related public order and nuisance problems should rarely happen if the licensee is competent in the performance of their duties. However, from time to time problems do occur. In such circumstances, individuals or community groups can object to the renewal of existing licences, they can also object to the granting of new Licences.

If you think that local disruption is due to poorly managed licensed premises, you should

- Count the number of times disruption occurs, along with any other details (times, vehicles involved etc)
- Count the number of licensed premises in your area
- Call a meeting of other local people who might be similarly
- Start a
- Look at off-licences: do they form a focal point for under aged drinkers? Do they sell magazines, videos, confectionary, and by doing so attract young people?
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Who can I speak to about an existing licence or a new application?

- You can talk to the local police. They may be able to help you with gathering data and they will appreciate you drawing their attention to problems
- You can write to local licensing Justices. This is a panel of Magistrates which meets regularly to consider licensing applications. Address your correspondence to: The Clerk to the licensing Justices. The address is in your local telephone directory.

How are licences granted?

Licences are granted by the licensing Justices. renewals last for three years and have to be renewed at special sessions which are always held during the first two weeks of February. Notice of these meetings will be given in local newspapers. Revocation of licences can occur at any licensing session, and these usually take place every month.

New licences (or transfer of

Licensing Justices have the power to grant a licence if

- There is a proven need for additional licensed premises
- The applicant is judged to be a suitable person to hold a licence

- The premises are / will be suitable for the purposes intended

What about Nightclubs?

Nightclubs require a public entertainments licence which is granted by the local authority. A late drinks licence cannot be obtained until the local authority has granted its licence. The local authority will consider any objections you may have before granting the public entertainments licence. Further information may be obtained from the licensing officer of the relevant local authority.

How can I object?

- Find out the date and time of the hearing; contact the Clerk to the licensing Justices; obtain a copy of the licensing Justices' policy document, it may contain information which will assist you as an objector.
- Write a letter saying that you intend to object and why. Send copies to the Clerk and the applicant. Give at least 21 days notice.
- Be prepared to attend court, or have someone represent you. You will be able to question the applicant and any witnesses and you should be prepared to answer questions yourself.
- You can present any objections you have. However, given the conditions which have to be satisfied before a licence is granted, it is helpful to show that:

the needs of the area are already met by existing licences, or that the applicant, the premises, or both are unsuitable.

Even if your objection fails the Justices may attach conditions to the licence that may alleviate some or all of your fears as to its grant.

Costs are rarely awarded against objectors if their objection is unsuccessful and was made in good faith and on sound grounds. The Clerk to the Court will advise.

What about appeals?

Objectors or applicant can appeal to the Crown Court against the decision of the licensing Justices. The process is expensive and does not occur very often.

For further information please contact **apas** on (0115) 941 4747 or any solicitor.

*This Fact sheet was produced by **apas** and the Licensing Department of the Nottinghamshire Police*